

MALEFACTORS



OF GREAT WEALTH



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Malefactors
of
Great Wealth !



Yours truly
R. A. Benedict

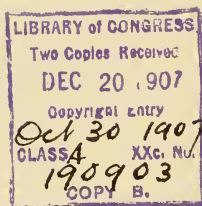
MALEFACTORS

of

GREAT WEALTH !

By
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A CASE ON APPEAL
FROM
JUDGE LYNCH
TO
THE COURT OF FAIR PLAY

ARGUMENT

R. A. BENEDICT
OF COUNSEL FOR DEFENDANT

May it please your Honors, the Judges of the Court of Business Common Sense in the District of the United States of America:

In arising to reply to the lurid rhetoric of the learned counsel, we cannot but express our deep pain at the course taken by the avalanche of molten words poured forth by our learned brothers upon the other side. Where two great forces are opposed to each other, such as are involved in this titanic legal struggle, great heat follows their head-on collision; and yet, your Honors, we cannot imagine any ground creditable to counsel upon which to explain the explosion of so much dynamite at our devoted client. In your presence we have heard our client assaulted with such terrific epithets as "Malefactor of Great Wealth" and "The Wickedest Trust in the World;" but, your Honors, denunciations are not facts, and rhetoric is not necessarily argument.

I

"BUT WHO PRETENDER IS AND WHO IS KING, GOD BLESS US ALL! IS QUITE ANOTHER THING."

Your Honors, while walking on the west side of Lower Broadway a few days ago, we were met face to face by a wild-looking man, dressed in the costume of a Rough Rider, his hair floating in the wind, his eyes red with a fierce light, his sombrero waving aloft in his left hand, and his right hand

pointing across to No. 26 Broadway. As his eye met ours and he saw he had our attention, he hissed and sissed, and squealed and yelled, as he shook the out-stretched hand in a paroxysm of alcoholic fury, "Down with the trusts! Down with 26 Broadway! Down with the malefactors of great wealth! Down with the wickedest trust in the world! 'Rah for Teddy! 'Rah three times and a tiger for Teddy! 'Rah for the champeen trust-buster, Mr. Roosedore Theovelt Trustbuster! 'Rah for—" but a policeman seized him and and took him to the alcoholic ward. Your Honors, this is a type of the frenzy which is just now passing over this otherwise sensible country. It is a sort of delirium tremens of the judgment, a wavering of the eye that should be able to see things in a calm light, unmiraged by hate, envy, jealousy, and covetousness. For the time, the line between "mine and thine" has quite disappeared. We get title to property now in a different way from what we once did. We used to think a man who paid the market price for things owned them. We did not know that it made any difference how large a heap of things he got in this way. If he paid for them, they were his. But that is all changed now. Now, if you want what another man has bought and paid for, and spent his time and money upon and improved and made more valuable than when he got it, all you have to do is to call him a "monopoliser" a "malefactor of great wealth," a "cormorant trust," or even simply a "trust" or a "very rich wrong-doer." That settles the matter. No judge, jury, or anything of that sort is at all necessary. The old title goes up in the air and the new title settles on you, and the goods are yours. And if anything more is wanted to make you quite sure

of yourself, just haul the old owner into Court and tell him if he don't bring in his books and show up his profits, you will cut him off from business by the inter-state commerce clause route. Then when his books are in your hands, just thumb them over a while until you have found his profit and loss account. And if you find that he has sometimes netted a loss, don't say anything about it. But wherever you find a profit, print it in red letters in all the yellow newspapers and let the public yell, "What a robber!" That will surely fix the title in you so it won't budge a hair. If you and the public say the man's profits are too large, that sweeps away his last right, not only to his property, but to his good name and his access to the courts. Profits, your Honor, are outlawed, since the great Standard Oil hold-up in Indiana. Nobody makes profits any more but thieves.

But soberly, your Honors, since when and by what word of our Constitution, our laws, or our common usage, has the public had the right to inspect private books and thereupon to fix the profits of business men, corporations, or "trusts," if you please, in this country? Since when have we become a socialistic colony and, on the ground that his profits were too large, have divested of his title to property whomsoever we have pleased? To what state of anarchy are we drifting? Who of us will be safe in his property, if we once admit the principle that the public can fix our profits, whenever in its judgment our profits are too large? In the name of the God of Justice, your Honors, if this is to be the vogue, if any one at all is to be compelled to show up his profits in order that the public may judge as to their proper size and mulct him accordingly, let us resolve ourselves into a socialist

country at once and fix the exact size of profits in a rule which shall bind all alike, and appoint a responsible bench of judges to determine the facts and apply the rule, taking away from him whose profits are larger and adding to him whose profits are smaller than lawful, until the profits of everybody are the same as everybody else's. But it is surely to court anarchy and property-chaos to drift on in this way, your Honors; to have a Bureau of Corporations, on one side, with an interstate-commerce-clause club in one hand and a rope in the other, strangling from private citizens of one of our States accounts of their earnings and profits, to be published to the country, for the express purpose of inflaming the envious, the covetous, the lazy, and thriftless into contempt for sacred property rights; and on the other side an untried expolitician judge, for trumped-up breaches of the Sherman law fixing penalties, not according to transgression, but according to profits and ability to pay the fine. This frenzy has become so deep and so furious, the devil of the itching palm has become so rampant, your Honors, that such passages as this are common in our daily papers:

“Multitudes will compare the enormous profits upon moderate capital with the price of oil, and no allegation of reasonableness of price will prevent pressure for still further cheapening. If the disclosure, assuming it to be authentic, should drive Standard Oil into increasing its capital stock four or five times, the measure of self-defense will have been taken too late.”

And this:

“Blue Monday will acquire a special terror for the Standard Oil Company if every wash-day is to bring a fresh report against it by the Commissioner of Corporations. This morning's is chiefly taken up with the discovery that the Standard sells cheaper abroad than at home. Commissioner Smith's eagerness in announcing this is very like the anxiety of the small boy to run and

tell his mother the great news, when he heard that a baby sister had arrived. The American people had suspected as much. When Mr. Rockefeller told them how foolish it would be to interfere with his efforts to "conquer the market of the world," they had a pretty shrewd notion that he wished to bleed them in order to do it. But what a powerful tariff-revision argument Commissioner Smith unwittingly supplies! All that he alleges of the nefarious Standard practice in exacting the uttermost farthing from the helpless American consumer, in order to give the foreigner cheap goods, is as true of many protected manufacturers. It has been proved—nay, admitted—of the Steel Corporation. Now, the extortions of the Standard could probably be little checked by revising the tariff; but those protected industries which hide behind high duties, while they skin their countrymen but sell cheap abroad, could be got at by a Congress or an Administration that dared lay a hand upon the tariff. Yet the President is standing as pat as mum; and Lodge declares, tearfully but firmly, that the tariff cannot be revised."

Could anything be more monstrous, your Honors, more in contempt of constitutional rights than these suggestions that it is the public's business what are the profits of the Standard Oil Company or when, where, or at what price it sells its property! Oh, your Honors, where is the rule and the square! Where the "equal protection of the laws!" For, outside of the pressure from supply outstripping demand, the only "pressure for still further cheapening" which can be applied to this company's products, is the pressure of mob law, which it would be the duty of our government, under the constitution, to relieve with fixed bayonets, in the process of giving this company the "equal protection of the laws." That fact should stamp as incitements to mob madness all such newspaper effusions as those we have just read.

What does all this mean, your Honors? What devil is possessing our land! What brainstorm of folly? Why, even our President is daft with the same afflatus! He also fumes and gesticulates against "rich wrong-doers," "malefactors of great

wealth" and "very rich men," and exactly to whom he points when applying these epithets is only too well known. Does this President of ours know what he is doing? Does he know to what chaos in jurisprudence his teachings tend? Does he know that he is maddening the masses to Lynch proceedings? Does he realize that he himself, in the eyes of the mob, has accused, tried, condemned, and branded these men who are now but awaiting execution—at the hands of the mob?

Let such teachings continue, your Honors, and, when our mobs sack and burn the homes and the business plants of our "malefactors of great wealth," who shall say that they are not Roosevelt understudies in logical action? The wrongs he sees are such as no law we have ever saw. Why, then should the victims of such wrongs show greater temperance and forbearance than their great teacher. Why should they await the amendment to the constitution and the making of laws thereunder to fit the crime of having "great wealth," before exemplifying in fiery deeds their abhorrence of that wickedness which Mr. Roosevelt objurgates with such fiery words? Mr. Roosevelt does not wait. Why should his disciples who hear his fervid gospel?

Ah your Honors, Mr. Roosevelt doesn't seem to know that we have laws to cover crimes and that our property and other rights are as fixed as if cast in brass. If those he denounces have not offended by these century-old standards they have offended by none; and his denunciation is itself a violation of law. But, on the other hand, if they have thus offended, the courts are there to pass upon the facts and fix the penalty; so that in any event the President himself is a "wrong-doer." In

our statute laws and in our constitution we have our written law, governed by the principle that they must be construed liberally in favor of the accused and strictly against the curtailment of memorable rights, such as our rights of property; and in our common law we have long lines of decisions, no less fixed and definite in that regard than our *lex scripta*. There is no latitude left for the "construction" which Mr. Roosevelt would have inject full of India rubber every fibre of our legal rights when they offend "my policies." The old maxim, *stare decisis*, applied century after century, has made hard and fast those very rights which Mr. Roosevelt by his "post-road" clauses and his "interstate commerce" latitudinizings would remold to his own notion. And still our President furies and fulminates against great fortunes; still he utters the hope that the courts may yet take his view of constitutional construction, extra-legal and extra-constitutional though it is. What then your Honors? Suppose, without changing our constitution we Rooseveltutionized our rules of construction? Who is Mr. Roosevelt; whence has he such an infallible scent for the right that no after-comer might aspire to his oracular rank? If Mr. Roosevelt may construe our written laws according to his judgment, defy the maxim, *stare decisis*, change the meaning of the English language to suit his ideas, and remake our whole conception of property rights, what later prophet may not do the same? If Mr. Roosevelt may point the finger of condemnation at a man who is worth \$100,000,000, as a "malefactor of great wealth;" or, if when they have exceeded a certain limit he can hold up the profits of a corporation to excite the rabble, who shall say that any other man whatever may not

treat his neighbor as an outlaw because the neighbor wears finer clothing than he? If Mr. Roosevelt may so judge, why not the next one? When the legal line is once crossed; when the Rubicon of fixed law is once behind us, how broad and unlimited for the socialist free-shooter will be the plains before us? What is a fair profit? What is a decent fortune?

Ah, your Honors, there are those who will judge Mr. Roosevelt less leniently than we. There will be those who will say that he is only playing a desperate game of popularity, of political chess, of a demagogic dosing of the people with pink pills for paling adoration when he pursues by all the devious ways of press-agency and interstate-commerce club a corporation like the Standard Oil Company, which has knowingly broken no law. We do not say it; we do not believe it, but others not so full of loving kindness as we will say that he appointed a callow politician as a United States judge to do a dirty political job, because no well-seasoned wearer of the ermine would ever have dared to drag the profit and loss account of a great corporation into court as a basis for a fine so brilliantly great that it would gild even with brighter gold the already golden halo of the "champeen trust-buster" of the age. We do not say it, but others less charitable will say that Mr. Roosevelt has thus pursued the Standard Oil Company, in order that he may mount his throne and, pointing to the wounded monster, exclaim, "Oh ye loyal people, our most faithful subjects, behold the mighty dragon which your mightier St. George, for your weal, hath transfixed with the sacred spear that knoweth no brother!" That is what some wicked people will say, your Honors; some people so wicked

that they know not when they see it true holiness, the perfect fount of square deal undefiled. We say, confusion upon such undesirable citizens, your Honors! But we fear our anathemas may not carry.

The rule has always been that a man was entitled to as much property as he could get a legal title to; and that that property, subject to non-discriminating taxation, was his to enjoy without molestation, unless obnoxious to police or sanitary regulations, or amenable to the law of eminent domain. There have been no limitations to these rights; no measure as to size or tenure or method of devolution during the life of the owner, other than the one given. Now without establishing any different hard and fast rule that shall govern us all alike, suppose Mr. Roosevelt be allowed to attack first this and then that individual and denounce him as "a malefactor of great wealth," making the fact of his wealth a distinguishing characteristic of the man accused; suppose we permitted any one to denounce the profits of this or that person—profits being property—on the allegation that they were "too large"—would we not be starting down the chute to anarchy? Would it not soon be a go-as-you-please shooting match for all propertyless bummers able to buy a gun? What will guide us, your Honors, after our old rule has been destroyed and before a new rule has been made, except the new rule whose light glimmers in the heart-sanctuary of Mr. Roosevelt and his co-anarchists? What are laws for? Why have we had such careful definitions of property-rights for, lo, these hundreds of years? Is it not that a man might know where he was at? That he might know whether, if he taxed his brains and tasked

his flesh to get a little property together, he might have it himself instead of being compelled to divide it with the loafers and the lazy, hoodlums and blackmailers, who idled and lay in wait while he labored? What is a country without definite laws hedging property rights, your Honors? Why, your Honors, our laws of this kind are all the compass we have to find our property bearings by. If a ship scorns its compass, what is its fate, your Honors?

Your Honors, we have often wondered if Mr. Roosevelt ever stops to think just what he is about in constantly using such hard words as "malefactors of great wealth," "lawbreakers," and the like so freely in connection with "wealth" and "riches." What he seems to us to be doing is to make thoughtless people associate wrongdoing and malefaction peculiarly with the rich, thus psychologizing the mob to believe that rich folk are either criminal because they are rich or rich because they are criminal; and that they are, therefore, outlaws in any event. And, your Honors, what must be the increasing effect of Mr. Roosevelt's Sunday-school teachings, when to his other hard words he joins his anathemas against "swollen" fortunes and "the menace of great accumulations of wealth?"

This line of talk seems to give point to his denunciations of "malefactors of great wealth;" and to leave the impression that the "rich" are a shady lot any way who should be specially regulated; since it is being rich wherein consists the "wrongdoing" and "malefaction." Is this judicious, your Honors? Is he a good President who attaches a stigma to property and thus breeds contempt for property rights? Is it wise to teach the rabble that a man is rich because he is bad and poor be-

cause he is good? Is it the man with much or the man with little to lose, who is the more likely to sack and burn with the mob? Does not the man with property by that same token give heavier bonds for good behavior than the man without.

It seems to us, your Honors, as if to follow the President would be to go backward into the bogs and swamps of old, where might made right and the booty belonged to the man able to swing the heaviest club. For laws defining property-rights seem to have come to us naturally as the condition of gregarious life. Away back somewhere, the biggest bully got the biggest share and for a while he had only to shake his Big Stick to make all the weaker ones leave their property in his hands and go hide. But by and by a lot of these weaker ones got together and formed an alliance against Big Sticks, and when the Bully came along and grabbed somebody's horse or cow or pretty daughter, this Alliance pitched on to him and made him unhand. Then he argued the case in his way and they argued it in theirs. He said might made right and they said property belongs to him who gets it first from some fellow not in their circle or tribe. And that was the rule they made. He who gets a thing first is its owner—meaning always, unless he took it by force from one of them. But that was the beginning of property law. A lot of men leagued together and beat the Bully, Might makes right; and then, so neither one of the alliance could have an advantage over any other, they made this rule. That was to settle the question of title. And to settle the question, all that one of the Alliance had to do was to prove he got there first, and not that he had swung the Biggest Stick. You see, your Honors, it was a general rule or law and it

covered all the community with the same mantle. It did not say, He who gets it first owns it, *unless he is "a malefactor of great wealth."* That was too indefinite and it would have spoiled the simplicity of the rule to lug in differences made by being rich or poor. But the Alliance said, Whoever will live according to this law, is one of us, and in order that each may know when a thing is his'n, we will all stand together and make it his'n, "If he got it first!" But these early law-makers had to go a step farther by and by. They traded among themselves, and, as usual, there was a lot of bad men among them who trumped up titles to the property which some of their brothers had in the Alliance and turned every stone to cheat themselves into property they had not earned. And these law-makers had to lay down other laws or rules according to which property once "mine" was declared now to be "thine." And the rule was that if a piece of property was "mine" it became "thine" if the first party delivered it to the second party of his own free will and said it should thenceforth belong to the second party. Or if he had not so delivered it, still, if the second party could prove that the second party had bought it of the first party and had given something of value in exchange for it, it would belong to the second party. But all these were general rules, applying to everybody alike, without distinction between rich and poor. There was no limit set to the amount of property one could get in this way. Nobody was called "a malefactor of great wealth" because he had more than another. The people did not bother about a man because he was rich. They were not afraid of him because he was rich. Being rich did not make him proof

against the Big Stick of the constable if he stole or, thinking his riches would save him, hurt a neighbor. But the great point is, your Honors, these rules were general rules and they applied to all alike; because in order to have them enforced they had to please all and be just as good for one as another, or the camp would have been broken up into parties of those whom the rules favored and those whom they did not favor. So, your Honors, the excuse for making a law lies in its universal application. These laws have come down to us without change. As it was in the savage tribe, so now, if a man gets a thing first and there is no other owner, it is his. If his neighbor owns it, still he can have it, with the neighbor's consent; and when he gets it in this way, it is his without question; and any man who goes up and down the land calling him a "malefactor of great wealth" because he has gotten together a lot of property in this way, call it the cottage of the laborer or the palace of the rich man, call it stocks and bonds, or tenements on the East Side, or call it profits of the Standard Oil Company or of the United States Steel Corporation, or what not, is an insurrectionary who should be restrained. For, your Honors, if we listen to him, we shall find ourselves right back in the bogs and swamps of the Big Stick and "Might makes right." Our alliance will have been broken up. The rule will have been destroyed and none of us will know whether our title is good. We got it by the old rule, to be sure. But that don't count now. A new rule has been added to which we have not agreed. But, nevertheless, there are a lot of us who will like the new rule even if we have not agreed to it; even if it has not been written into our Constitution and laws and regu-

larly adopted as our law. Some of us will like it, because we have no property of our own; and because it will give us some of the property of other people who have had greater luck than we in heaping up property. But others of us who have heaped up the property will object to the rule. We will holler, "No fair!" Why did you not make the new rule before we worked so hard and got so much property together? Why did you not tell us that, no matter how hard we worked for it, it was going to be unlawful for us to have any more property than the rest of you? Why did you not begin to cry out "Malefactors of Great Wealth!" before we were wealthy? Why did you not give us a chance also to lie by quietly until a lot of fools had worked their heads off getting property together; and then join the rest of you in shouting "Malefactors of Great Wealth!" and in dividing among ourselves the property of these malefactors. We say all this is "no fair;" you have taken a mean advantage of us. Before we had done so much under the old rule, you should have told us that that was the rule no longer. And then, too, there is the difficulty of making the new rule work smoothly; because you will have to fix the line of wealth within which we cannot be called "Malefactors of Great Wealth," and where will it be? At \$1000? At \$10,000? At \$100,000? At \$1,000,000—or where?"

This is a very broad and a very difficult question, your Honors. We are facing legal chaos in its answering, unless we hold on to the old rule until the new one has been whittled down to a very nice fit. Meantime, your Honors, we think it would be a very good plan not to call anybody "Malefactors of Great Wealth" until we fix a hard and fast line beyond which the accumulation of

wealth will be a malefaction; and not to iterate and reiterate the statement that we are going to bring the "rich" to justice, when the word "rich" carries no necessary stigma with it before the law and cannot differentiate the good from the bad. If we did thus rant against malefactors as being rich, when the law merely divides citizens into those who obey the law and those who do not, we should think the reason why we lugged in "rich" all the while was because we were a demagogue trying to fool the people with a pretense of zeal and were putting votes higher than communal morality.

But your Honors, there is a reason. This otherwise sensible and just public of ours was not wrought up to this point of lawless frenzy by any stranger. There is method in this madness, the method of experts in preparing public madness to compass private ends. And, your Honors, we are grieved to say that, in the whole trend of their arguments before this Court, counsel for these wily plaintiffs, have shown that, in their view, a fee will justify any associations, any methods, and any collateral wrong.

II

PERSONAL BITTERNESS SHOULD BE FOREIGN TO THIS
CONTROVERSY. ALL MEN DO AS THEY MUST.

For whatever purpose this withering fire of hard names was furied forth by counsel for the wily plaintiffs, we think we can see more and better reasons than those of "total depravity" and

“abhorrent greed”—to quote the exact language of plaintiff’s counsel—urging American Production, the defendant in this action, to appeal this case to this the most equitable court of our nation. And, furthermore, may it please your Honors, we do not propose, in our contention to the contrary of the argument of plaintiff’s counsel, to return evil for evil and fritter away our breath and the patience and time of this most high court with *argumenta ad hominem* and loud denunciations of wickedness of these wily plaintiffs. For although we can easily prove the wily plaintiff the Importing Trust, to be a pirate, a pickpocket, an assassin and an escaped convict, and the hardly less wily plaintiff the Exporting Trust to be almost as bad, nevertheless we shall do this, if we do, in no spirit of bitterness, but rather as our duty to our client, American Production, and altogether in sorrow and in no wise in anger; and the reason of our Christian spirit is this:

After all that has been said on the subject we do not believe, your Honors, that the human heart is such a very bad thing in it’s intent. If it is “altogether wicked,” it is because bread and butter and their equivalents, in one sense or another, lie in that direction. We do not believe that a poor human creature “wills” either to be good or bad. We believe such a creature has an earnest desire to live with the least pain and the greatest comfort; which earnest desire is called by some “the instinct of self-preservation.” In line with this instinct of self-preservation, your Honors, there have gathered, through the long ages of evolution, a group of proclivities, all of which are indispensable to agreeable existence, and all of which are expressed by brain-cells, also outlined through the

ages. In fact these proclivities are the ministers unto this physical life which to most of us is so precious; and we could not dismiss either of them without opening a window to a harsh wind that might blow out the little candle of our life. In addition to these proclivities, we have all been gifted with intelligence, also a proclivity, and also represented by, and acting through brain-cells, involuntarily formed, the true purpose of which is to make plain to our other proclivities the clearest and surest path to their safe exercise in the line of their object.

And, your Honors, the man who owns these proclivities, although they have absolute power over his thoughts and actions, had no choice in saying how one proclivity should be related to another.. With different people, these proclivities have different relative values. In some, one proclivity will predominate; in others, another. If a man's proclivities are nicely balanced one against another, you have a model citizen. But if they are out of balance, you may have what is commonly called a "crank;" or it may be a criminal. But in every case what he will do under given circumstances is determined by the relative influence of these groups of brain-cells which represent the proclivities; and all the relative sizes and values of these groups are determined by parentage and environment, over which the subject has no control. The manner in which these proclivities, through their respective groups of brain-cells, come into action which eventuates or not in muscular activity on the part of the subject,—according to the nature of the proclivity—is also entirely beyond the control of the subject, such action being automatic and irresistible. For, as we have said,

these proclivities are the direct off-spring of what we call "the instinct of self-preservation," and their only business is to save the body of the subject from pain or furnish it with pleasure. Therefore the physical condition of the body is the particular concern of the proclivities and that condition is evidenced by sensations over which again the subject has no control. For instance, if the stomach be empty, the subject feels hunger. This sensation of hunger causes an association of ideas which suggests the necessity of food. The hunger proclivity awakens the reasoning or intuitional proclivity, through which arises into consciousness a vision called "memory" of when and where food has been theretofore obtained; and muscular play which takes the direction of food follows irresistibly as to the subject and naturally as to its position in the series of actions over which the proper proclivity has control, that proclivity for the moment representing the entire ego and wearing the ego's apparel. And so with any other matter affecting the physical life of the subject. A physical condition which, on behalf of the subject, requires action to secure pleasure or avoid pain, immediately causes a memory or vision to arise in consciousness, which is associated with some former action to the same end: and through the motive-instigation of the particular group of brain-cells affected, muscular action follows in the direction of the proper relief. All this is done irresistibly, so far as the subject alone is concerned. In a word, the exciting cause of proclivity-action lies beyond the control of the subject in a physical sensation or condition which his humanity imposes upon him; and the action follows its sufficient cause. A particular point that we wish to make is that

sometimes the association of ideas awakened by a given physical condition arouses several proclivities at once, which will persist in proportion to the power of the cells and of the exciting cause. Sometimes the activities of these proclivities harmonize and so contribute to one and the same result. Then there is no sense of conflict or notion of decision or "willing." But sometimes opposed proclivities may be aroused simultaneously; as for instance, the desire, usually called "acquisitiveness" and the desire usually called "benevolence." In this case, the stronger proclivity will prevail and the subject will prove himself either an honest man or a thief, according to the relative powers of the brain-cells representing these proclivities, and the degree of excitement which each has suffered. In any event, the subject was fore-ordained from the foundation of the race, under certain circumstances acting as excitants to proclivity-action, to be either an honest man or a thief; but being conscious of the existence of two different emotions, one leading towards the act and the other away from it, the subject will believe that he "willed" either to leave his neighbors purse alone or to appropriate it, according as one or the other group of brain-cells proved the stronger. He could not see the complex machinery which caused his act. He could not realize that the groups of brain-cells which were the next cause of his action, whether he stole or stole not, were "the heirs of all the ages," and that he could not change their action nor prevent them for the time being from assuming his clothing, any more than he could cast a star from it's celestial location. This is natural, your Honors. He felt "free," therefore, he believed he was "free" and that his

act was one of a "free will." But if his will were as free as it seems to be; were his choice between two courses of action possible, he would be nothing less than God himself. Alas! the logic of events proves him to be, just as he is, a single little unwilling event in the endless string of changes which the matter composing his body has been going through since it's atoms were created. So far as the individual is concerned, he has no more "free will" than if he were stone instead of flesh and blood, the belief that his will is "free" being merely an inference from faulty premises. Therefore, your Honors, all our actions being thus the result of circumstances over which none of us has any control, and every one of us in body, mind and soul, being just exactly of that causal nature which must produce the very actions proceeding from us, whatever be a person's acts, we cannot say "He did it to injure me." Whatever he did was because of the peculiar balance of his proclivities; proclivities caused by the necessity of keeping his body from pain or affording it pleasure. All we can honestly say is, "He is so constructed from the beginning of time that this act was caused by what he could not control." Your Honors, this question of the origin of proclivities, namely, as the guardians of our physical lives, the *sine qua non* of the perdurance of our kind, is of great importance to our argument and we venture to summarize our remarks thereon, as follows:

Our most remote evolutionary ancestor was a minute organic cell.

This cell developed a muscular and a nervous system.

Certain things were necessary to its continued life.

It had sensations, denoting need.

These sensations had a reflex effect upon the motor nerves.

The muscles of locomotion by an equally reflex action of these motor nerves moved the cell into such a relation with its environment as to reduce the need and allay the exciting sensation.

In the course of ages the one cell developed around it other cells, which were the sensoria, corresponding to other needs which arose from variety of environment.

This collection of cells was what we now call the "brain," and they developed a clearing house for their sensations, which interrupted the instantaneous play between some of their sensations and the motor nerves.

This clearing house we call "memory." It was the result of past experience. It contained the beginnings of our metaphysical law which we call "Association of Ideas." Here began the development of the reasoning creature. Sensations then awoke an association of ideas, a comparison of experiences had under similar sensations. Those "memories" which were connected with agreeable results then transmitted the delayed current of sensation to the motor nerves which set the muscles in operation and disposed the whole organism in accordance with the most satisfactory experiences. Thus eon after eon passed by. The brain grew and became more and more minutely correspondent to environment. It was not a simple but a very complex machine. Groups of cells had evolved to correspond to particular phases of life of the subject, all excitable through specific sensations, which transmitted their currents through the clearing house of memory and by association of ideas touched just the requisite motor nerves to provoke muscular action which, if the memory-record was correct, would supply the need and allay the sensation. This is whence we came and what we are—organic machines.

Your Honors, there is nothing we can think of which so well illustrates our notion of human action as our modern graphophone. The machine has externally the same identical appearance no matter what record is being delivered from it. But in fact it changes its identity with the changing record. The same throat is used, but its utterances are from a different source from record to record. Under some circumstances it is a well-known prima donna; under others, it is a celebrated brass band. And so on indefinitely. Yet all the time it looks the same to the naked eye. Now a man is a graphophone. One set of proclivities speaks through his mouth, looks from his eye, acts in his movements. Then he is one creature. The record is changed and he is another creature. Another set of proclivities has been attached to the nerves and the muscles by another sensation; and while externally identical, the internal representative of the ego is different. How often we have heard it said, "Smith was not himself to-day," meaning that he was different in the way he impressed the witness. Sometimes little Tommy is "as cross as a bear"; and sometimes "as good as an angel." They are different Tommies. Sometimes one group of proclivities is acting through his graphophone of a body, sometimes another. But his body is merely the plaything of his proclivities, and his proclivities are as merely the plaything of his physical sensations, resulting from a full or empty, a sick or well stomach, refreshed or tired muscles, or some other condition of body or environment; or resulting even from some state of mind—brain-cells—caused by some circumstance which has awakened a peculiar association of ideas, but with regard to which the setting off of one proclivity against another may have neutralized

action. And it may be added that his sensations are the mere plaything of his internal and external environment which in turn are the mere plaything of the course of creation and evolution.

Under this theory of ours, your Honors, human conduct can best be explained. It is easier to believe that every human action is inevitable than to believe that it had no cause back of the actor. How otherwise can you explain the conduct of the man who, in spite of resolutions to the contrary, solemn promises, and earnest desire, always falls a victim to the same temptation and commits the same act over and over again, never once forgetting his former revolting experience and its bad effect upon his happiness? He promised better things while under the influence of one set of proclivities; and broke his promises under the influence of another set. The fact is there are as many different men in one body as are possible from permuting and combining human proclivities.

But let no man say, your Honors that if a man cannot help doing what is injurious to others, and therefore called "wrong," he ought not to be restrained. If a man kills, he is dangerous to life. If he steals, he is dangerous to property. And as you would confine a wild animal; destroy a mad dog; or raise an umbrella, it is fitting and right that rational beings should protect themselves from unhappily contrived human beings by such restraint as will remove the danger.

Therefore, your Honors, we have no bitterness toward the wily plaintiffs. They are as they were created. They do as they must. Their machinery is operated by unseen excitants; they naturally move in line with the instinct of self-preservation; or at least intend to; and they are in no wise re-

sponsible in any abstract way ; but if they are doing injury to our client, they must be properly restrained in ways which mature deliberation will determine.

III.

INFLAMMATORY DENUNCIATION AND EXAGGERATED EPITHETS ARE NOT ARGUMENT.

Your Honors we desire to call to your attention various expressions, in addition to those already mentioned as uttered by counsel for the wily plaintiffs, the aforesaid Importing Trust and Exporting Trust, and to move that they be expunged from the record of argument in this action. From what we have just said, it appears that there is and has been no such thing as malice in any action heretofore taken by the defendant, American Production ; that whatever it has done is but the result of its inherent nature, which it did not contrive and over which it hath no control ; and that the exciting causes of all its action lie beneath its reach somewhere in the very roots of its being. Therefore, when plaintiffs' counsel lay any action of this defendant to "corporate greed" ; when they hiss between their set teeth the expression "predatory wealth," or when they thunder out "protectionist avarice," they are using baseless terms, and, we fear, attempting to excite passions, appeal to which is not warranted by any action of our client, American Production ; unless, in the vocabulary of the modern "trust-buster," "greed" means the ordinary enterprise shown by any person in securing the profit allowed

by the current degree of demand for his goods; "predatory wealth," capital industriously earning dividends, in the same way pursued by capital everywhere, since capital came into being; and "protectionist avarice" the natural desire to confine American demand to American supply, giving all Americans a fair field with favor to none. But, your Honors, although we can honestly say that our client has done naught to merit these furious epithets, since what it does is without malice and without volition, we are likewise ready to admit that there is no malice in the wily plaintiff, the Importing Trust, and its partner in sin, the Exporting Trust, when they thus by proxy pour the lava of their volcanic denunciations upon the head of our devoted client, American Production. And yet, your Honors, as we said a little way back, there is a reason. These plaintiffs do not attack our client in this way except it be for the purpose of self-preservation, of diminishing pain or increasing pleasure for themselves, in accordance with the results of our analysis of human actions a few moments ago. The withering anathemas of these plaintiffs merely stand for an attempt to destroy an enemy, not for the joy of the destruction, but in order to remove from their path an obstacle in the way of their happiness. Now, your Honors, it is very easy to see the object of all these hard names as applied to our client by the wily plaintiffs. They wish to destroy our client, American Production, at least for a time, in order that they may enjoy what, in a measure, American Production is now enjoying, viz., the American domestic market; the Importing Trust, as a location for the sale of cargoes of foreign goods, whereon it will make a profit; and the Exporting Trust, as a location where it can buy

“raw materials” free of tariff duties, to work up into other goods for the export trade. This, your Honors, is the purpose of all this wild tirade against American Production, so cunningly called “the trusts” by counsel for the defense. It is on this account, your Honors, that these plaintiffs have so bitterly attacked our beneficent client, American Production, and not because they delight to see honest and industrious American citizens cast down unto death with the despair that seizes men when they see their employment gone and slow starvation menacing them and their dear wives and children; not because they delight to see this great nation halt upon its upward path to bury its untimely dead and build afresh the structure once so fair and necessary to its life and to its progress, but shaken to the earth by the dynamite conspiracies of these wily plaintiffs; for, your Honors, these plaintiffs are not bloodthirsty and wanton, but merely market-thirsty and hungry for trade, and the reflex action of their longing sensations takes no note of the horrors, far worse than internecine war, through which our devoted nation must wade, if “tariff revision” finally accords them their desires.

IV.

THE PLAINTIFF, THE IMPORTING TRUST, IS THE CENTURY OLD MORTAL ENEMY OF AMERICAN PRODUCTION, AND ALL IT SAYS ABOUT "THE TRUSTS," THEREBY MEANING AMERICAN PRODUCTION, THE DEFENDANT IN THIS ACTION, SHOULD BE TAKEN CUM GRANO SALIS.

Let us be just, your Honors, and, before we condemn too severely its effort to preserve its family line, acknowledge the lofty pedigree of the wily plaintiff, the Importing Trust, and the century-old interests it has at stake.

The Importing Trust, your Honors, is a vast interest, whose octopus-like body rests within our seaboard cities, but whose thread-like tentacles have laid hold, with a more or less deadly grasp, upon nearly all the veins and arteries of our country. The lives and the happiness and the stomachs of its members depend, primarily, not upon this defendant, American Production, but upon Foreign Production, it having been their practice from time immemorial to inflame the people of this country against their real benefactor, our client, American Production, by the application of odious epithets like "favored classes," "tariff favorites," "infant industries," in the earlier days, and latterly by calling our client horrific names, such as "trusts," "predatory wealth," "cormorant corporations" and the like, until the people, blind with rage and with hate against their only hope of life and progress, have arisen and torn down the tariff-dike and

allowed the wily plaintiff, the Importing Trust, to sit as sole mistress in our marts and gather boundless wealth from the savings of our people, while millions of our people starved on every hand and the whole nation languished in despair. This has been the course of the members of the Importing Trust for more than a century; the same course they are pursuing now, with high hope of the same result as that so often attained of old.

We say it in all kindness and with full remembrance of our philosophy which excludes the notion of malice, but we say only the truth when we declare that the Importing Trust for more than a century has been for us in this land a giant bird of prey, with no other interest here than to plunder us of our vitals when we wax fat; and when we have thus been levelled to the earth in poverty, to wing its way to a distant hill-top, above the carrion stench from our dead workers, and await the rising of a fresh race of workers and the time when American wealth has accumulated enough once more to make it worth the while of this same foul bird to descend anew upon our homes and hearts.

It was the wily plaintiff, the Importing Trust, your Honors, who first applied the name of "trusts" to all American Production, as a term of sweeping reproach that would madden our people to hate their own and cleave to this predatory alien, the Importing Trust. Surely, your Honors, there is only poetical justice in turning the tables upon this monster of destruction, this prodigy of hypocrisy, by also calling it a "trust." Surely, it is no more than just to apply this term to a mighty aggregate of interests, moss-grown with dark and damp life, which for more than a hundred years has fought at every step with bloodthirsty fury the progress of

American Production on this soil. American Production, did we say? Ay, the progress of American Civilization, we might have said; since American Production for American Consumption measures to an ounce American Civilization. From our Colonial days down to this hour we have thus been victimized and betrayed by the wily plaintiff. As colonists we were merely a flock of sheep for fleecing by the wily plaintiff, which used every endeavor with the English King and Parliament to strangle every sign of life shown by our client, American Production, on its manufacturing side. It pretended to a divine right to enter our colonies with its goods and compel the tribute of high prices from our forefathers, who were forbidden to manufacture. Therefore we think that it is due to this wily plaintiff, the Importing Trust, thus to say that much of its present-day arrogance and its puzzling intolerance are merely heritages from a triumphant past, when, with it, to demand was to receive, to command was to be obeyed. What wonder that lordly members of the wily plaintiff, the Importing Trust, still regard us as but an English colony, where they may while away a portion of the year in taking from our toilers tolls on imported goods, only to go to Europe for the remainder of the year, to loll in luxurious carriages, live in elegant palaces, and spend their Importing-Trust profits in a thousand ways of delight? For this they have always fought our client, American Production. But American Production would not down. From decade to decade it struggled on, often crushed by the weight of the power of this wily plaintiff, the Importing Trust; often wounded almost unto death by the blind folly of our own people, frenzied by the stealthy slanders of the Importing Trust, this wily plaintiff, which

then as now, hesitated at no measure for the destruction of its adversary, our present client, American Production.

And so, your Honors, the wily plaintiff, the Importing Trust, has continued down to this very day, pursuing its happiness by the destruction of American Production, at every point and in every way possible. From the necessities of the case, from the fact that it is a struggle as between life and death, we do not believe that there is any crime at which, as a concrete proposition, the wily plaintiff, the Importing Trust, would balk to work the final dissolution of American Production. It disguises itself in every way and makes use of any and all agents to accomplish the injury of our client. When in its war against our client, after years of use of the naked blade of "Free Trade," our people had come to look with horror upon this weapon, as wielded by the Importing Trust, the wily plaintiff took care to conceal its real instrument of destruction by giving it different names, among which your Honors will doubtless recall "Lower Taxation," "Moderate Protection," "Free Raw Materials," "Tariff Reform" and "Revenue Tariff," as some of those employed by the wily plaintiff a decade or two ago; and "Reciprocity," "Cuban Treaty," "Relief for the Cubans," "Relief for the Filipinos," "Reduction of War Tariffs," "German Trade Agreement," "Stopping the Gathering of Gold in the Treasury," and "Tariff Revision," as some of the later subterfuges by which the wily plaintiff seeks to hide the keen edge of the Free Trade knife with which it cuts the throat of the fat bullock, American Domestic Market.

But, your Honors, at the present moment the wily plaintiff, the Importing Trust, is wielding

with all its power the blade which it calls "Tariff Revision"; and with "Tariff Revision" as a watch-word and the cry, "The American trusts are selling cheaper abroad than at home," it is trying once more to drive our people so crazy that they will turn and tear down our tariff dike which dams out the world's surplus goods and dams in the world's wandering capital, and let in the deluge, tie the hands of our workers by forcing capital to seek other scenes and send them all supperless to bed and many of them to untimely graves. Ah, your Honors, if anything could justify this cruel war on all the workers of this country, it would surely be the happiness of so large and lordly a concourse of blue-blooded commercialists, as that which makes up very largely the wily plaintiff, the Importing Trust.

Who, then, make up the wily plaintiff, the Importing Trust, your Honors? In answer to the question, we say that far and away its larger portion is composed of importers of foreign goods, the fathers and grandfathers of many of whom were importers before them, in whose blood has come to be mixed a large spilling of the spice of aristocracy, and who look with proud intolerance on whatever seems to lend dignity and strength to our client, American Production. These people control the chambers of commerce of all our foreign-trading cities, which, under the tutelage of members of the wily plaintiff, pass resolutions declaring that "the people demand an early relief from the iniquities and burdens of the tariff by a substantial reduction of its rates"; or that "we favor an immediate revision of the tariff." These importers live in the most expensive quarters of their respective towns, drive imposing carriages, or thunder by in the largest automobiles, and everywhere sow the seeds of

respect for "commerce" or "international trade," showing meanwhile by their opulence and magnificence of living how profitable, for a hundred years past, they have found the business of emptying American savings banks.

In addition to the hereditary and other importers engaged directly in vulgar trade, there is a wing of the Importing Trust which is not vulgar enough to engage in trade, being made up of Mayflower descendants of the silk-stocking variety. These people and their fathers before them were born with golden spoons, diamond tipped, in their tiny mouths. They are blue-bloods of the purest ultra-marine. They are veritable Plymouth Rocks. They carry in their sacred persons all that is hardly worth saving in this Republic. Do they work? Never. They are the true and only class of exclusive "consumers" in the country. When the newspapers of the Importing Trust say the "consumers" must be considered and the tariff tax abolished, they mean by "consumers" these people who forever "consume" and never "produce," these proud and would-be aristocratic people who consider themselves a separate class, to serve which humbly and forever is the duty of the "laboring classes," by which term they mean all who are not rich enough to live without work and join the illustrious body of "consumers" and buy a pedigree. Believing that they are the whole show, and that the "laboring classes," like the birds and the grass, are mere inconsequential incidents of life here, they also believe that they should have their work done at the lowest price possible through world-wide competition between workers; therefore their allusions to the "robber tariff" and "favored producers," as if they were denied their rights when a tariff dike keeps out the

ocean of foreign surplus products, the odds and ends of the world's bargain counters and bankrupt and fire-sale stocks, anxious to be sold here at worse than auction prices. There is another thing they have in mind also as their right, and one which would be re-established by a "revision" of the dike, and that is retinues of servants at European wages, which would be theirs if the dike were "revised," and our workers, turned out of our factories in starving swarms, should beset these choice "consumers" for jobs in kitchen, chamber, cellar and stable. For these reasons the silk-stocking, blue-blood "consumers" are enthusiastic members of the Importing Trust, and on every occasion root for "tariff revision," "reciprocity treaties," "German Trade Agreements," "Annexation of Canada," "annexation of Cuba," "free trade with the Philipines," "war on the trusts"—anything and everything to make their high living come at the lowest price, by exposing American workers to the deadliest competition. We cannot blame them for all this. Their brain cells are so arranged that they must ever be blood-suckers and never blood-producers. But the rest of us are fools if we do not understand them.

Yet another wing of the Importing Trust is made up of college professors and other professional men who think that "revision" would make their broad-cloth cheaper but would not reduce their incomes. Having never "labored," in the vulgar sense of the word, they know nothing of the horrors of indiscriminate competition such as follows "tariff revision," the lowering of our dike and the inundation of the country with foreign surplus products. Some of them, it must be admitted, particularly the college professors and other awfully learned men, are quite

frequently the high-thinking devotees of the time-wasted cult of Free Trade, which they still piously worship at a shrine wherein, decades ago, the last venerated relic crumbled into dust. For they still whisper of Free Trade as earnestly and as reverently as though Adam Smith of England had not been dead since Adam Smith of Eden was a little boy and as though the world that the younger Adam Smith knew had not been so transformed economically as to be unrecognizable by him if he returned to earth. It is a pious devotion in which these monks of the classic shades are engaged; and should we blame or criticise them? Lo, do they not do even as we ourselves are doing—seek that side of life which grows the most sugar plums and the fewest cacti?

Yet another wing of the Importing Trust, and a very powerful one, is made up by the steamship lines, notably those subsidized by the German Government, either with cash or paternal well-wishing. We say “powerful,” because back of the German lines, at least, stands the whole diplomatic corps of their home Government. Of course, they are straining every influence to “revise” our tariff dike, in behalf of heavier cargoes to this country. Again, who could find fault with them for the arrangement of their brain-cells? Or with us for such a brain-cellular arrangement that we recoil from German Trade Agreements fomented by German steamship lines and German diplomacy as from poison reptiles. Should it leave a pleasant taste in our American mouths to realize that our industries have been turned over to the tender merices of the German War-Lord by his friend, Herr Trustbuster?

There is yet another wing of the Importing Trust, your Honors, which should receive our careful con-

sideration. We refer to that wing made up of certain politicians who join themselves to the Importing Trust for no other purpose than to eat out of its hand. These politicians, by some strange freak of fortune, belong, generally, to the Democratic Party; and, *mirabile dictu*, very largely to the Southern Branch of that party, the members of which join in the assault upon our tariff dike, even though the Sunny South, with her wealth in climate, soil and mine, and her marvellous development behind the tariff-dike since the Civil War, still needs the shelter of the dike, that her growth may not be arrested by the influx of tropical products—needs it for her cotton, her sugar, her rice, her new-made textile mills and her flourishing foundries and machine shops.

But it is very difficult to teach an old Southern political dog new tricks, even though new tricks mean the saving of his life. His forefathers were Free Trade Democrats before him, and he can never be anything else. He never forgets and never learns. Although our lovely Southland was destined, under a tariff-dike, soon to become the wealthiest and proudest section of our country, these old politicians of the Importing Trust would still rule her life through a tradition which scorns our dike as a robber fortress. They are stuck in the same old bog in which they were hard and fast, “fo de wah”; and until they are gathered home to glory they will continue to believe down at Yazoo that Jefferson is still Allah and John Sharp Williams is his prophet.

Your Honors, we fear we may be tiring you by this long analysis of the wily plaintiff, the Importing Trust, but nothing is more important to the issues in this case than to know the motives which

lead the enemies of our client, American Production, to raise the battle-standard of "revision" at this time. We have not yet mentioned the wing of the Importing Trust which is perhaps the most dangerous because the most insidious in its method in attempting to wreck domestic industry. We refer, your Honors, to those American citizens who, while claiming American citizenship, make use thereof solely for the purpose of hypocritical claims which they hope to coin into gold, even at the price of seas of tears and mountains of suffering among the workers of this country. These people, your Honors, are they who purchase forests, mines, and wheat fields in other countries, and these patriots, to get the benefit of Free Trade in our domestic market for their alien products, press for the annexation of Canada. We also have them owning sugar, rice, and tobacco lands in the Philippine Islands, where they are also projectors of railroads, hemp-mills, and other manufacturing industries, under a cost of subsistence—which is their cost of production—ininitely lower than we have here in our own bleak land. And these Philippine patriots, under the lead of Secretary Taft, the great champion of "revision," a man quite unacquainted with our client, American Production, and the terror which chills its spine at the threat of tropical competition, are beseeching the Congress of the United States to take down our tariff dike towards the Philippines, and so compass the death by starvation of thousands of our wage-producers here. But these members of the Importing Trust, the wily plaintiff herein, by arousing pity for the "poor Filipinos," conceal their own interest in thus "revising" the dike towards the Philippines; just as American promoters of Cuban

sugar plantations, who were also members of the wily plaintiff, the Importing Trust, concealed their personal interest in the Cuban-treaty outrage upon American civilization, by spreading in the newspapers fictions as to the suffering of the "poor little Cubans," and by pretending that unless a "meed of justice" were doled out to these "poor starving Cubans," in the way of a gap in our tariff dike, they would starve to death in great numbers. And the Importing Trust had the nerve to say that we had shut the "poor Cubans" out of the Spanish market by making the little fellows free and were about to kill them with hunger, unless by giving their jobs to the Cubans, we killed an equal number of American workers. Yes, your Honors, this wily plaintiff, the Importing Trust, with its sly hand in the wage fund of American workers, stood with great briny tears in its eyes, sniveling about the hardships these Cubans were enduring, in scenes of unheard of luxuriance in fruit, vegetable and animal life, where yams spring up over night and where a two-cent cotton pocket handkerchief makes a burdensome suit of Sunday clothes, where no snow ever flies or frost ever falls, and where a hut of palm leaves is all the native needs for shelter. Ah, yes, your Honors, they were starving to death on a bushel of bananas and a barrel of yams and a wild turkey a day apiece; and Senor Trustbuster relieved their suffering by giving them the Cuban treaty, which ripped a gap in the tariff dike and put a bonus of many millions a year in the pocket of the American Sugar Refining Company, to be distributed pro rata among the starving Cubans—we don't think.

These Cuban exploiters, members of the

Importing Trust, are they who silyly foment disorder in Cuba and fill our newspapers at times with talk of its annexation to the United States; for, your Honors, that would mean the total leveling of our tariff-dike towards Cuba, which would be much better even than a Cuban Treaty which only lowered it. But no greater calamity could possibly befall American civilization, your Honors, than either free trade with the Philippines or annexation of Cuba. For all the world is struggling by hook or crook to get inside our tariff-dike with its goods; and all the world of unfixed capital would overflow the Philippines, if we had free trade with them; and Cuba also if we annexed her; just for the privilege of free trade with our market here on the main land; and these tropical islands, with the cost of production not over one-fifth of its cost here, with inexhaustible natural resources of soil, and mineral, and forest, could and would ultimately produce a supply of all forms of goods ever thought of quite sufficient to meet our greatest demand here. And, your Honors, with Senor Trustbuster or some one selected by him, as for instance Mr. Taft, swinging the cudgel of patronage and threatening chastisement to our "insurgent" Congressmen, who can say, your Honors, how far the wily plaintiff could not go in securing free trade with the Philippines, a renewal of the Cuban Treaty, or the annexation of Cuba? Senor Trustbuster "loveth best who tickleth best," and it may be Mr. Taft does, too. And who shall say that the Importing Trust would never succeed in tickling either of these gentlemen to as profitable an effect as Baron Speck Von Sternburg tickled Herr Trustbuster?

Your Honors, it may be ungracious to Herr

Trustbuster, but in his treatment of the people of this country in his Cuban Treaty and his German Agreement, it seems to us he has acted simply as if he were the proprietor of a great estate, with the right to give of that estate as much as he pleased to whom he pleased and to whom pleased him. For he has given a vast slice of our domestic market to the Cuban exploiting member of the wily plaintiff, the Importing Trust, and another great slice to his flatterers and pretended admirers in the German Empire, and in each case he has entirely ignored our Congress as much as a German nobleman, in the disposition of his property, could possibly have ignored his footman. Does Herr Trustbuster ever stop to think, your Honors, that he is the servant and not the master of our people? Does he ever stop to think that these United States are not his own shooting park? Does he realize that our domestic market is our civilization, our domestic life, of which we cannot give away a single dollar's worth, without giving away just so much of our civilization and our lives? We regret to say, your Honors, that Herr Trustbuster makes us think that he really looks upon our people and their sacred interests very much as he might upon a basket of fish caught in his own Oyster Bay or a bagfull of game shot in his own woods, which he might distribute at will among his favorites at court. He has given us away to the wealthy Importing-Trust Cubans. He has lavished us upon his favorites of the German race. And rumor says that, ere long, Monsieur Trustbuster will have succumbed also to French flattery and have poured us out with equal generosity over the industrial reaches of *la belle France!* And will he crown it all in the coming Congress

with scattering us as a handful of alms over all the industrial peoples of the earth, by corralling the "insurgent" Congressmen, in his own strenuous way, and clubbing Philippine Free Trade through Congress, and thus opening us to Free Trade with the whole world through the Philippine Hole in the Wall? How long, O your Honors, how long!

V

THE UNION OF THE WILY PLAINTIFF, THE IMPORTING TRUST, AND THE WILY PLAINTIFF, THE EXPORTING TRUST, IS A MOST UNHOLY ALLIANCE FOR THE ASSASSINATION OF OUR CLIENT, AMERICAN PRODUCTION.

May it please your Honors, we have thus traced as nearly as we can with our present data an outline of the various branches of the wily plaintiff, the Importing Trust; and we now proceed to give you some notion of the origin and the general nature of the partner in sin of the wily plaintiff, the Importing Trust, that is to say the Exporting Trust.

Some years back, how many we cannot say, the wily plaintiff, the Importing Trust, took unto itself a wife, and was joined in the bonds of a most unholy wedlock, the infatuated maiden who consented to the union being none other than Miss American Special Producing Interests. The union was followed in the course of nature by the birth of a lusty boy, whom the happy twain carried immediately to the High Priest named "Foreign Trade" and had christened under the name of "The Ex-

porting Trust." This lusty baby, in due time, came to man's estate, and though the offspring of a marriage of convenience, and, as an independent proposition, having no special affection for its sire, it soon began to assist its father in secret raids upon our tariff-dike, the advantage it sought being the free importation of "raw materials" to work up into its own products, for sale, primarily, in our domestic market, and, secondarily, in the far-famed "markets of the world."

One wing of the Exporting Trust, your Honors, is represented by certain Massachusetts manufacturers, notably those of shoes, who want to import "raw materials" free. The mongrel blood within their veins is seen in the fact that, in order to increase their profits already large from their market here behind the tariff-dike, they are willing that all other producers in the United States should be exposed to a low dike, provided the dike shall still remain high over against their own factories. For example, the shoe manufacturers of Brockton demand that all the farmers in the country should lose \$3 or \$4 a hide, in order that the shoe manufacturers themselves, in addition to the large profit secured them by selling goods here safely behind the tariff-dike, may have the profit which would come to them if they could make American farmers sell hides as cheaply as they are sold in the world outside. In other words they want free trade in what they buy and protection in what they sell.

We also mention, as belonging to the Exporting Trust, the Minnesota millers who enjoy a high tariff-dike on flour, and thereby secure our entire home market; but who desire "free wheat" from Canada, so they may add to their tariff-profit the

profit to be made by compelling our wheat-raisers to compete with Canada for the custom of the millers of Minnesota.

We might further mention other manufacturers, members of the Exporting Trust, who are eloquent for "revision" of the dike, so far as it touches their "raw materials," all of which are the finished products of their sister industries in this country; but are as eloquent in declaring that so far as their own products are concerned, the tariff-dike is now none too high.

We particularly desire to place this mark of the sorocide on the brow of all those members of the Exporting Trust who manufacture patented articles and ask that the dike be "revised" because it is useless to them, who are already protected both by domestic and by foreign patents, and who are the only real "monopolists" in this country. For these people gladly assist the wily plaintiffs to destroy the dike, not, your Honors, that they may "conquer the markets of the world" through free "raw materials," but, God pity them! that they may force American wage-producers here to work at foreign wages in making these patented goods for this market, in order that these manufacturers may put the difference between the American and the foreign pay-rolls in their pockets. The fact is that most of our manufacturers of patented things already have plants abroad and so, for goods to be sold abroad, already have the benefit of foreign wages. But not satisfied with that, they wish the tariff-dike "revised" so the workers in their factories here will be compelled to work for foreign wages also, as we have already said.

Thus these members of the Exporting Trust give

aid and comfort to the wily plaintiff, the Importing Trust, in its crusade against the tariff-dike and its demands for "revision" of the tariff; and when these manufacturers also root for "revision," the newspaper clique of the Importing Trust says, "Lo, the manufacturers themselves, these infant industries, to protect which the tariff-dike was built, demand "revision." Is not this proof that the time has arrived for a general "revision downward" of this barbarous dike, this Chinese wall, seeing that even they whom it was built to shelter consider it an evil?"

Your Honors, when we see the depths to which our own people will dive in the slums of selfishness; when we see how ready human nature is to eat human flesh, American manufacturers, who think they have no further need of protection to absorb into their economies the very substance of other American manufacturers and their employees, it requires all the philosophy over which we have command not to wish our brain-cells were so arranged as to make us approve the banishment of these flesh-eating monsters to the Cannibal Islands. But our brain-cells will not let us.

VI

THE SOLE RAISON D'ETRE OF THE WILY PLAINTIFF,
THE IMPORTING TRUST, IS THE SPOILIATION OF
THIS COUNTRY. THE SOLE EFFECT OF ITS OPERA-
TIONS IS TO TAKE FROM AND NEVER ADD TO THE
WEALTH OF THIS NATION.

We humbly submit, your Honors, looking back at a century of our national life, that the wily plaintiff, the Importing Trust, is figuratively speaking, a sheep-stealer and nothing but a sheep-stealer, prowling among the producing flocks of this country. It has not even any relation whatever to any exchange of products whereby its injuries are in any manner offset. Its generic nature is that of the freebooters, marauders and pirates, its real forefathers, who but a short time ago swept the seas for plunder. Its sole function now is to skim off the cream of wealth from the milk of industrial activity which flows from the prolific udder of this industrious nation. It differs from the old-time pirates only in the fact that it snatches the wealth of a whole nation at once instead of that of single merchantmen; and instead of making but one ship's crew walk the plank at a sitting, it puts to death hundreds of thousands of people, by actual starvation, mental anxiety, despair and suicide, all in the course of a single raid upon this country's employment. The financial havoc which, from a single victory over the cold sense of our people and a single breach in our tariff dike, it works in the aggregate upon this country's wealth, runs into billions of dol-

lars. Ten times more destructive than our great Civil War, when Northern Greek met Southern Greek in deadly combat, is but a single triumph over us of this wily plaintiff in its battle of falsehood and feigning, through which alone it succeeds. And here is a point, your Honors, to which we call your most serious attention: This wily plaintiff has hit on the trick of using in its behalf the diplomatic corps of foreign nations and, by the devious ways of diplomacy, breaking our tariff-dike which dams out the ocean of foreign surplus goods. Only recently it secured the aid of the Great German War Lord and his cabinet and all the power of the Reichstag to force Herr Trustbuster to do the dirty work of this wily plaintiff, the Importing Trust. And be it said in shame and sorrow, Herr Trustbuster humbly knelt and murmured his vows of vassalage to the Great War Lord; and turned over to the Importing Trust privileges which the workers of this country will pay for from their savings to the tune of not less than a billion dollars; unless our Congress shall call Herr Trustbuster to his senses, repudiate his allegiance to the German Empire, and stop the ruin to our industries, which is already a cloud black and broad with disaster above our fields and factories. This only illustrates further what we have before said, your Honors, namely, that the Importing Trust is merely a diplomatic robber and freebooter, a relic of the ante-industrial days, when tribe matched tribe in theft of cattle, corn and maidens. The Importing Trust is not an industrial factor. It is usurer, thief or assassin, commercially speaking; and when it fails of success by its own dark ways here, it calls on an emperor to outmatch us in diplomacy; which is

as bad for us as having been beaten in bloody battle.

VII

THE OPERATIONS OF THESE WILY PLAINTIFFS ARE
AGAINST THE INTERESTS OF THE CIVILIZED
WORLD.

Your Honors, all civilized nations produce all things requisite to their prosperity; and no such nation can supply any other such nation with an article the like of which either in form or effect the latter cannot itself produce; and as surely as the sun shines and shades, no organization like either of these plaintiffs can do international business without injury to the great body of the people concerned. For all the active people of any country are producers of one of three grades. Either they labor for wages and are wage-producers; or, by the employment of wage-producers, turn out some kind of property to sell to others, and are, therefore, property-producers; or assist in the preservation, transportation, or distribution of property, and are therefore what might be called "adjunct-producers." There are none other than these among the active people of any country, who do any kind of work, whether of hand or brain, or both. Even doctors, lawyers, ministers, bankers, insurance men, telegraphers, telephonists, blacksmiths, tinsmiths, plumbers, masons, painters, carpenters, and clerks, stewards, porters, and watchmen, soldiers, sailors, and errand boys fall into one or the other of these groups, every one

of them dependent upon making domestic goods, real or personal, that is, property-production; and all the other people in a country, unless either too young or too old or too sick to work, are tramps, which includes the "consumers," whose case the Importing Trust so eloquently pleads in its argument for the substitution here of foreign in the place of domestic goods. We repeat, practically all the people of every nation are producers and depend upon production for their lives. The more meager their production, the more meager their lives; the more abundant, the more abundant their lives in happiness and the fullness of civilization.

It follows that to import any article into any such country, is to prevent increased production in that country and so increased civilization and happiness. For either the exact like of it or an article which would answer the same purpose, could have been made by the producers of that country, and they would have had the benefit of the increase in production, which would have increased the demand for wage-producers and so have raised wages and have caused a wider distribution of wealth, the rich becoming somewhat less rich and the poor somewhat less poor.

But that is not the whole story. To import an article is not merely to prevent domestic production from increasing, but to make it decrease by a certain definite amount. For the imported article meets in its foreign market a similar domestic article, or the ability to make it, which is the same thing; and either the domestic article underbids the imported article or it remains unsold. In either case, the imported article makes the supply greater than before in comparison with de-

mand, and, the wages of the wage-producer falling, instead of a wider there is a narrower distribution of wealth, and the rich become somewhat richer and the poor somewhat poorer.

Suppose, however, your Honors, that it was not the wily plaintiff, the Importing Trust, but rather its partner in sin, the Exporting Trust, that had been at work; and instead of coming into the country, the article had gone out of the country. In that case, the country's supply would have been reduced, demand would have forged ahead of supply, and the price would have risen in the home market; which would be the same as a reduction of wages. Ever though the export of the article should continue and the increased demand for wage-producers in that special line of production should raise wages to their former level, in the interval, the wage producers would have had the loss occasioned by increased prices. But, in time, the congestion of labor on fewer occupations would lower wages by competition among workers in those occupations and so offset any original upward movement of wages, arising from increased demand for a special product. And in any event, should the price of the exported article rise and wages finally rise to offset the price, the country would have gained nothing, but would have merely balanced accounts; and the net result of the operation would have been the making of the rich members of the Exporting Trust somewhat richer and the country's wage-producers somewhat poorer.

In no events, your Honor, could any transaction of the wily plaintiffs bring profit to the nation as a whole; and their operations must always disturb wage-production, to the greater or less harm of all the wage-producers of the country.

Looking at the matter from another point of view, your Honors, these plaintiffs cause a loss to the nation in every transaction to which they are parties, their operations being like those of the pickpocket who steals a watch and pawns it for half its cost to the owner. For they pick the pocket of the American wage-producer of some opportunity to work and pawn the swag abroad at far less than its real value to the original owner. If, your Honors, you will refer to your *Wealth of Nations*, by the economist, Adam Smith, you will find that he says where people in a country buy and sell among themselves it is twice as good for the country as where they buy and sell in foreign countries, because when the trade is all done at home both ends of it benefit the country with their respective gains; whereas if only half of the trade is at home, the country gets only the gain in that half. Now these wily plaintiffs never do any business in which both ends of the trade are in this country; so that whatever they do, they are firing away abroad half of the wealth all of which should belong to us. We think Mr. Smith is right in his idea, which seems to be that if you sell a steam-fire-engine in France and take an automobile in exchange, you are not as well off as if you had sold your steam-fire-engine to some other Yankee in exchange for his automobile. For the half-French trade only leaves to the country the automobile, while the all-American trade leaves to it both the automobile and the engine, with all the benefit remaining here, which could come from the manufacture of both machines, benefit in the way of the employment of wage-producers and the demand of their wages on our market. To make the half-French trade as good as the all-American, France would have to send us back not

only the automobile but another steam-fire-engine, too, without extra charge. Of course that is silly to suggest, and shows how silly is international trade.

But the worst of it is, your Honors, we may not get even the half of the trade, because instead of our sending France an engine in exchange for an automobile, France may refuse anything but gold; and so, in exchange for an automobile which will soon wear out and never inspire industry to make wealth again, we send to France permanent wealth, which can go on inspiring industry to make wealth to the end of time. We have exchanged a living spirit for a clammy corpse. We have paid for our automobile with a section of our producing power, now lost to us forever; and whatever the size to which our industrial stature may grow in the future, it must always be smaller by the size of the section thus lost to France. And these wily plaintiffs are the perpetual agents of such losses as this.

"Ah!" exclaims counsel for the Importing Trust, "you cannot sell unless you buy. If you wish others to buy of you, you must also buy of them. All international trade is but a system of exchanges, in which goods from one nation are paid for with goods from another nation."

Your Honors, this falsehood is the stock in trade of these wily plaintiffs. It is the worst one they tell. For we can go on buying of foreign nations without ever sending them a pound of goods; and they can go on buying of us, without ever sending us a pound of goods. We need only stop buying of them when they refuse to trust us any longer; and they need only stop buying of us when we refuse to trust them any longer. We can buy of them without selling to them, until we owe them so much they can come over and take our property

for the debts. They can buy of us without selling to us until they owe us so much that we can go over and take their property for the debt. It all depends on how long credit holds out, when the end will come and the sheriff's sale to the creditor will close the chapter. For after all it is not nations but individuals who are trading with each other, it is just the same between dealers in different countries as it is between dealers in the same country. The sum of international trade, is but the sum of the tradings of individuals, carried on as individuals, governed by the same rights and made equitable by the same remedies belonging to individuals.

And all these international individuals in trade are looking for the specific profit to them in each trade, and the foundation of that profit is not friendship, "buying of you because you buy of me," but the relative cost of goods. It is not comity but cost which governs all trade, international or otherwise. It is not because we are kind enough to import that we have the privilege of exporting. And it is not because we are unkind enough to export that we also find it in our hearts to import. The wily plaintiff, the Importing Trust, knows only too well that there is no logical or other necessary connection between it and the wily plaintiff, the Exporting Trust, except in their common raids upon our tariff-dike.

Both of these wily plaintiffs know that each goes its own way in foreign trade quite careless as to the fate of the other. Each does as much business as it can, at the widest margin of gain it can make, and puts the winning in its own private box. And we repeat, at the bottom of each transaction of either of these plaintiffs lies the mainspring of commercial action, viz., relative cost. And we know

that the motto of these wily plaintiffs is this: "Buy in the cheapest and sell in the dearest market;" and that they are strangers to the motto; "Buy only of him who buys of you." The only way in which the wily plaintiff, the Exporting Trust could cause us to import, would be to sell off so much of our goods in foreign markets that prices would get so high here that the Importing Trust would make money even on goods brought over our dike. And the only way in which the Importing Trust could make us export, would be to fill us so full of foreign goods that our unemployed people would be so poor that they would work for wages so low that the wily plaintiff the Exporting Trust could send goods abroad in spite of low wages abroad, and thus coin the bodies and souls of our wage-producers into gold for its till.* And, your Honors, it pains our compassionate brain-cells to think it, but way down in our hearts we believe that these wily plaintiffs when they practically say, "If you keep on exporting you surely will import; and if you keep on importing, you surely will export," really mean that prices will get so high, in the first place, and wages so low, in the second place, that goods will pass between us and foreign countries, in the way we have said. But we can scarcely understand the sort of a heart that could be so cruel as to deceive our innocent wage-producers to their own undoing in this way. True, goods might pass in this way; but, as we have said, not because of any agreement by which goods should be paid for with goods; but

* For over two generations, Great Britain, by Free Trade, has been thus coining the bodies and souls of her workers into profits for her Importing and Exporting Trusts, the fact being that the members of these Trusts embrace all the wealth and nobility of the British Islands, whose natural spoil British workers seem to be.

because of the alternate starvations of the wage-producers in competing countries. And because of goods passing as a consequence of alternate starvations, these wily plaintiffs are given a panorama at which to point, and say, "See, it is just as we said. There go goods abroad in exchange for our imports; see how goods are paid for with goods!" Could anything be more perfidious, your Honors! Could brain-cells ever dip to deeper depths of turpitude than that!

What is the object of this cheating of our wage-producers by these wily plaintiffs, your Honors? Why, only to build a theory of international exchanges with which to justify their doings. The Importing Trust wants to be so it can say to American wage-producers, "If you take my goods, which I offer so cheap, my partner, the Exporting Trust, will take the goods which you make and will sell them abroad, and so increase your employment. For if you import, you must surely export." And the Exporting Trust wants to be so it can also say to wage-producers, "If you want to work for me making goods for export, you must help me break the dike in order that we may import. For if we export, we must surely import;" while it hides the fact that what it really wants is free "raw" wages and "raw materials" and a greater profit for itself.

We have proven that cost and not comity, your Honors, decides whether there shall be an exchange of goods, and so whether the injury done us by the wily plaintiff, the Importing Trust, shall be offset by a kindness done us by the wily plaintiff, the Exporting Trust, as these wily plaintiffs in chorus claim; therefore the question whether the wily plaintiff, the Exporting Trust, will thus pour oil

upon us and bind up our Importing-Trust wounds, must depend upon the fact whether or not we can produce goods more cheaply than any other country on earth, and not at all upon any mysterious connection between imports and exports, and *vice versa*.

Now, your Honors, if we remember that when the dike is "revised" it must be "revised" for all countries in the world alike, it falls out that, under a "revised" dike the country we would have to beat in cheapness of production would be the country made up by all the rest of the world outside of our boundaries, including Canada, Cuba, and the Philippines; and it does not seem possible that we could beat all this great tract of country in anything at all, except in a few things perhaps, and for a very short time, before the world had stolen all our machinery and methods. For, your Honors, we are but one-sixteenth as great in land-area and population, and therefore have but one-sixteenth as much natural wealth, labor, and capital, as this great country with which we have to compete. This fact of difference in size alone should make it seem like a reckless thing for us to throw down our barriers and jump into a hand-to-hand contest in trade with the rest of the earth. Why, your Honors, this great outside country is a very busy place. People there everywhere are making all sorts of things the same as we are, only more so, in proportion to the size of their country; and, just like us, they must pile up a whole lot of things they don't want. Why, your Honors, the fire and bankrupt, closing-out and winding-up stocks in all that great country ought to be about as large in volume as all the goods we use from year to year; and we know that if it was our mat-

ter, we would sell off dog cheap and at any price we could get all those odds and ends and damaged goods that we did not want to store in our own attic. And what is troubling us, your Honors, is the question whether or not this heap of half or quarter price goods that the world wants to get rid of, would not come piling in here over our "revised" dike so fast and so furious and in such volume that, no matter how cheap we came to make things here ourselves, this bargain-counter stuff would drown out our own market here for our own goods forever and a day. You see, your Honors, with a pile of cast-offs like this, the sellers would not stop for price. The main thing would be to be rid of it and if not at one price, at another. For nobody's bread and butter depends on selling such goods. All you get is velvet. Now would not "revising" our dike just make of this country a sort of catch-basin in the valley into which the nations of the earth could just pour off their waste products in this way and would not such waste products alone be enough to keep our markets crammed until our wage-producers were starved to death? We think, at any rate, your Honors, that it is worth while to dream a little further over this point before we take the leap in the dark.

Then, your Honors, before we do a rash thing, we should think a moment on the point of whether or not our whole country is as well situated to do things cheap as all the rest of the earth together. We know, when we stop to think, that the real cost of what a man makes is what he spends in making it. And what is that, your Honors? Is it not what he pays for the stuff he works on in making something else out of it? But that stuff cost somebody else to make what the somebody had to pay

out while making it; so that our workman's "raw material" costs him what the other fellow spent. Then, in addition to his "raw material," does what he makes not cost him what he spends to keep himself alive and well while he is making it? And is not that his food, clothing and shelter? Then is not the cost of the whole thing when he finishes it, the cost of the food, clothing and shelter of the man who made his "raw material" while making it, added to what it cost him for these same things while doing his part of the work? And it is not this all cost of subsistence, and is it not right to say, Cost of subsistence is cost of production? We think so at least. Now if cost of subsistence is what things cost, do not you think, your Honors, that, before we "revise" our dike, it would be well to find out if others in the outside world cannot live just as well as we do but a good deal more cheaply? We should think so. Now, your Honors, everybody knows that it is cheaper to live where the sun grows plenty of grass and other vegetables, and lets you stroll around *à la* Mother Eve, and makes a bamboo hut all you need for shelter, than where you have to grow your food all in three or four months in the year, wear heavy clothing most of the time and have a lathed and plastered, battened and calked house over your head. Now, your Honors, looked at in this way, what parts of the earth are the dearest to live in and what the cheapest? Would you not say that the poles of the earth, where winter blights the year round were the dearest spots, and the tropics, where summer blesses the year 'round were the cheapest? And would not you say that subsistence would be dearer, the nearer the poles you were, and cheaper the nearer the tropics you were? That is the way it seems

to us, at least. Now, your Honors, the highest latitude is at the poles and the lowest at the equator; that is, the colder it is, the higher the latitude, and the warmer, the lower. So that as your latitude increases cold increases, and as your latitude decreases, cold decreases; so that the sun's heat, and, as we have found, the cost of subsistence, and so the cost of goods, vary directly as latitude varies. Therefore, we can say, Cost of subsistence, which is cost of production, varies directly with latitude. This seems, your Honors, like getting down to the bed-rock of cost; and when we look at it in that way and realize that about 20,000,000 square miles of the world's land-surface lies in lower latitudes, and therefore lower costs of production than we, about 14,000,000 square miles of which lies in the tropics, or in the area of lowest possible cost, it begins to look as if, taking things all 'round, even mildly to "revise" our tariff dike, is a little more than risky, if our continuing to live in this happy land at all is a thought we fondly cherish. The cards are against us, your Honors, doesn't it seem so to you?

"Ah," says counsel for the wily plaintiff, "but we have the most inexhaustible and the richest stores of "raw materials" in the world, and we can beat the universe on that account."

Does this look likely to you, your Honors? Does it look likely that one-seventeenth of the earth has more and better things in it than sixteen-seventeenths? We would not insult you by thinking you think so, your Honors.

And now, your Honors, if all international trade is only an exchange of goods, as the free traders say; and if latitudes lower than ours can make all the kinds of goods that we can make, and many

that we cannot make at all; and we can make all the kinds of goods made by higher latitudes than ours, and many that they cannot make at all; how can we exchange with lower latitudes, if all our goods are dearer than theirs; and how can the higher latitudes exchange with us, if all their goods are dearer than ours? In a word, why should a lower latitude ever buy anything of a higher? And, if it should prove that international trade is not merely an exchange of goods alone but one of cash and credit as well, how could there be free trade between all latitudes without the lower latitudes soon owning the higher—that is, without the higher latitudes selling all of themselves to the lower for products of the lower?

But, suppose, your Honors, the learned counsel were correct and some parts of the world could produce some things more cheaply than we, and we some things more cheaply than they; what pledge have we that, of the cheaper things, which they can make, they will always produce a sufficient quantity, not only for themselves but for all the world less favorably situated; and will always keep from producing at all any of those things which we can produce more cheaply? What pledge have we that they will not corner their own cheaper product and hand it out to us at a price so high that we might better have produced it ourselves, even at a higher cost, rather than to have depended on their constant industry and fairness? And if we keep from producing a particular thing in order to import it from a cheaper country, what earnest have we that the crops may not fail there, or that some war or other circumstance may not so reduce the supply that the price will go very high and make us pay such a bonus for a single year's supply that if we

had made it ourselves even at our higher cost, we would not have lost as much as by having trusted to a foreign supply?

There is another point, your Honors, right in this connection: If we agree to the rule that we are only to make what we make cheapest and exchange it for what other countries make cheapest, may we not find that we have natural stores large enough to last only during a reasonable time even if we make things only for ourselves and not for other countries at all?

If that is so, ought we not to make some things ourselves, even at a somewhat higher present cost to us than the present cost abroad, rather than get them from other countries in exchange for articles made by us, the cheap raw materials for which in our country must one day be entirely exhausted, leaving us thereafter at the mercy of the rest of the world and its higher cost for materials the cheap stores for which we had so foolishly squandered? At the very best, is this plan of the learned counsel for plaintiffs anything more than for a postponement of relative dearthness for us? And taking a long look ahead, is it not possible that, if, through making all things for ourselves, we pocket a present loss, we may later enter upon a perpetual gain; and that, if through foreign exchanges, we pocket a present gain, we may later enter upon a perpetual loss? Does it not thus seem, after all, your Honors, as if all foreign trade were a gamble and as if our wily plaintiff, the Importing Trust, and its ignoble and base-born partner in sin, the Exporting Trust, were gamblers in human lives for the benefit of their own purses alone?

Another point, still, your Honors: If we adopted the plan of the learned counsel and made only cer-

tain things in which we excel in cheapness, would there be enough to do in making only those things to give us all work all the time? For, if not, that would make another leak in the bucket by which we might lose a great deal more than we would have lost by making also the things we left for other nations to make.

Because the total cost of maintaining a nation, your Honors, is made up of the costs of all its citizens, at that degree of consumption which will keep each citizen in the most vigorous health. We humans are very complex machines—aggregations of cells, your Honors—and to make our income of energy balance its outgo we need a great deal more than just a fixed number of pounds of food. We need recreation, diversion, mental expansion, and a great variety of things to keep our brain-cells healthy and at their highest point of action responsive to our sensations and associations of ideas; and the cost of all this for the nation cannot fall below a certain point. Now, your Honors, this cost of subsistence is the burden which the nation has to bear; and like any other burden, it will be lighter per capita, the more hands are applied to its bearing. That is, if you increase the number of a nation's producers, you decrease for the nation the per capita cost of living. If you decrease the number, you increase the per capita cost. Therefore the policy which is best for the nation employs the greatest number of the nation's producers the greatest number of hours a day and at the highest degree of efficient effort. Because of this rule, your Honors, all the talk of the learned counsel in which he has so highly lauded these plaintiffs, sounds like an argument in favor of haphazard gambling rather than a plan which reckons with

all the conditions necessary to a nation's highest good. Your Honors, the only method in sight by which, with scientific certainty, the highest good of this nation may be assured cuts off these plaintiffs in their pack-peddling and gambling and makes of their members producers instead. For their operations through foreign trade always result in less employment of producers here. Because on the one hand, as we have already several times said, the Importing Trust stops the exchange of products between two of our citizens by itself supplying the demand on which the exchange depended. This destroys the employment of the producer who cannot sell his product. It increases the labor supply without increasing domestic demand therefore, and so makes a labor glut which means idleness, hunger and decline to labor; at the same time, by making men idle, it makes fewer the burden-bearers, and therefore increases the per capita burden of the nation's subsistence. And, on the other hand, the Exporting Trust increases prices by sending goods abroad and thus diminishing supply; decreases wages by crowding wage-producers upon a smaller number of occupations; assists foreign countries to live cheaply by the exhaustion of our natural stores; and generally aids the Importing Trust in putting off that industrial equilibrium which would one day follow the cutting out of these plaintiffs and the direction of our whole domestic demand, to our whole domestic supply.

We repeat, your Honors, that we believe that, by no hocus-pocus of these plaintiffs, and by no juggling with foreign trade, can the cost of this nation's maintenance be less than that which it would be if no foreign business were done, and, the entire domestic supply being absorbed by the

domestic demand, we averaged up the over-cost which we suffered in some directions with the under-cost we enjoyed in others. We believe, your Honors, that expert people could ascertain the average cost which we would have to pay by relying upon ourselves, and that this average cost could be denoted by a number related to some standard; and that this index cost-number as it could be called, would always remain the same as long as we relied on ourselves alone; but for the many reasons already given in detail, would increase whenever we traded abroad.

Your Honors, the more this matter is thoughtfully weighed, the more it seems that the only ones who would not be injured by "revising" the dike downward, would be these plaintiffs; and that if in an wise they were benefited, it would be by a corresponding injury to this nation.

It is certain, your Honors, that, in their desire to "revise" the tariff dike, and let in the ocean which rages to lay waste our fair fields of industry, these wily plaintiffs are moved by the lowest motives which ever have birth in human brain cells, namely, those which satisfy appetite by taking innocent human life. For they must know that in a deluge which follows a broken dike, there is always death for many thousands of us; whereas, on the contrary, our lives are safe and our nation thrives and grows greater, the higher the dike and the more surely it keeps out foreign goods. For the dike enables us to appropriate for our own civilization and progress all the wealth growing behind it since there is no way for wealth to be spilled out of the country except through a breach therein. And they must also be aware that an "unrevised"

dike means a more wide distribution of our wealth, in the ways we have so fully explained before.

What we say, your Honors, may be summed up in one short sentence, namely, close the ports, cut off foreign trade in both directions, and prices will fall and wages rise until "trusts" are no more and all American capital is earning the same as that earned by capital abroad. And that means the widest possible distribution of wealth among all our people.

But it is against this very distribution of our wealth among the wage-producers that these wily plaintiffs strive with all their might, when they push for dike "revision" downward. For they do not wish our wage-earners also to become property-producers, as the latter are rapidly becoming from their economies and savings, which now figure nearly four billions. They do not want property-producers here to become so numerous that prices will fall so low that the plaintiffs will no longer have any excuse to cry out that the "trusts" are selling more cheaply abroad than at home; but they wish the gathering wealth of our wage-producers to be scattered again to the four winds of heaven, in order that they themselves may still make fortunes in brokerages and commissions on foreign trade with us. You see, therefore, your Honors, that our tariff dike is a nation-building device, while the plaintiffs are a nation-destroying combination, one which pursues such a course that, if it were not ever and anon checked by our more enlightened people, our end would be final impoverishment, the reversion of our civilization to the most primitive conditions, and the ownership of all our land by a handful of grandees. Is it not strange, your Honors, that the brain-cells of so

many of our people are arranged so peculiarly that such a combination is able from time to time to make this country "revise" its dike and set us all on the down-hill road? But so it is, your Honors, and alas, and alack, for the slip-shod arrangement of brain-cells under so many skulls! For it would be far better for us if our beloved land were invaded by a barbarian army of millions, armed with all the most terrible engines of war, than that our tariff-dike were thus "revised" by these wily plaintiffs. We would oust the barbarians quicker, bury our dead, rebuild our cities, strengthen our fortresses and our defending armies, and, knowing by what we had been hit, be wise for the future. But these wily plaintiffs, appealing through their alien press to the basest passions of our people, inflict a more grievous injury than that possible by an armed invasion, and yet cover their work with such hypocrisy and mysticism that half of our wounded people never know by whom they were struck and very soon think the basest thoughts of these wily plaintiffs after them once more and assist to rouse the dikebusting fury that sleeps in the words "The trusts sell more cheaply abroad than at home!"

Ah, your Honors, why do we not choose the more intelligent part, which is to quit stealing the sheep of others and to stop others stealing ours? Why do we not cut off entirely this barbarous matching of wits against wits, this playing of our national life against the lives of other nations? For in this day and generation, all foreign trade, is spoliation. It is the robbing of wage-producers of their opportunities to produce wages, and therefore their food, clothing and shelter. To sell our goods abroad is for us to despoil the wage-producers of the country in which we sell. While for any other

country to sell us its goods, is for that country to despoil wage-producers here. Because, as we said in the beginning of this head of our argument, all civilized countries are now able to produce all things necessary for their inhabitants; and for its highest development, every country through its own wage-producers, needs to produce every thing required to supply the wants of its people. This is so from the fact that the more opportunities people have to work for others, the greater the field of their action, and their means of reaching the farthest goal reachable by them. Not only so, but, by foreign trade to disperse these opportunities is to waste in idleness the energies of your workmen at home; energies for the existence of which the country pays; for either it must support its idle workmen from its poor fund, or let them die of starvation and so lose their energies altogether. On the other hand, to give its own wage-producers all the opportunities to work made by the wants of the nation is to give to them all they are entitled to have; for no nation is entitled to greater wealth than that developed in supplying its own wants.

. As we have said, your Honors, there is no causal relationship between the amount of business done respectively by the wily plaintiffs. But even if there were, no system of foreign exchange could help a nation to greater prosperity as a nation than it could help itself to by simply supplying all its own wants. For, as we have said before, any profit from foreign trade would go to these wily plaintiffs alone, the net result to our wage-earners being a loss. For, inasmuch as foreign trade must be in goods the like of which either by duplication or substitution, we produce at home, for us to buy abroad is to withhold from production at home and

congest our wage-producers upon a narrower field of work and so cause wages to fall; and this, your Honors, is to make but one industry grow where more than one grew before. But on the contrary, the more kinds of things we make, the more wealthy our people must become, because that gives more chances to work and employs workers in doing those very things they can do the easiest and best and therefore with the greatest returns. But not only so, your Honors, the diversification of industries diversifies the objects of exchange; so that the wage-producer, in the wages which he receives for doing a single thing, has the equivalent of many things, of which, by proxy, he is himself the producer and, by virtue of his wages, the owner. This is to fill lives fuller and give a higher development to our citizenship; for the wage-producer works for no other purpose than to be able to exchange his wages for goods.

And right here, your Honors, we wish to refer again to our remark of a moment ago, when we said that foreign trade could not possibly give a nation greater prosperity than would come from the nation's supplying its own wants by the employment of its own wage-producers. We repeat and confirm that remark and say that, with the nation's demand confined to its own supply, its wage-producers must exchange their wages for practically the total volume of goods they have made and that volume of goods must surely be large enough to go all round; for the wage-producers would naturally be employed at least to supply their own demand. Even if owing to a more bleak climate or a less productive soil, poorer mines, and scantier forests, a wage-producer was compelled to give up in making an article more strength than that given

up doing the same work by another wage-producer in a better country, the former wage-producer, to prevent his country's prosperity from being made less, would still, by the sale of his product, have to get back the strength he had expended under his poorer circumstances. Because, suppose his country, instead of taking his product at the price of his energy left it on his hands and imported a similar product at a lower price; or even suppose his country dickered with him, and, because it could buy more cheaply abroad, compelled him to sell his product at a lower price than would return his outlay of strength, would this not reduce the prosperity of your unfortunate wage-producer at least as much as it increased the prosperity of him who thus got a lower price? What would be true of one wage-producer would be true of any number; and therefore it would be true of the entire country, and our declaration as to the country's prosperity is true, that it cannot be increased through buying anything abroad. And inasmuch as the country must feed or starve its unemployed wage-producers, it will be easily seen, your Honors, that the rule upon which counsel for the wily plaintiffs laid so much stress, viz., buy in the cheapest and sell in the dearest market the world over, is a rule which would put money in the pockets of the wily plaintiffs by taking it from the pocket of the country, and would therefore make the rich richer and the poor poorer.

Changing the form of their statement, learned counsel say, "Exchange what you can make the cheapest for what other countries can make the cheapest, so that you can live with the lightest labor;" and by that saying they interest those whose brain-cells are few in number and simple in

arrangement. But the impression left by this plausible dictum is full of fallacies. It impresses him of the simple brain-cells that an exchange between two nations is like an exchange between two individuals. For instance, Farmer A grows fine potatoes but poor pumpkins; while Farmer B grows fine pumpkins but poor potatoes; therefore, let these farmers exchange potatoes for pumpkins and both have large fine fruit. Even in a case like this Farmer A might get a chance to pinch Farmer B out of the profit; or Farmer B to do the same to Farmer A; and both farmers might better grow potatoes and pumpkins; but even if such a deal were profitable between individuals, it might be otherwise between nations. Nations are like large families who have to feed their children any way; and if one nation contracted to grow all pumpkins to exchange with another nation that grew all potatoes, it might find that half its workers could raise pumpkins enough for both nations; yet, under the contract, the other half of its workers could not raise such potatoes as they could; and they would have to be supported in idleness. And what would be gained? That is what happens when a low tariff-dike snuffs out a great industry that aforetime was booming. Plaintiff's counsel say, "Set the idle workers at something else." That is against the contract; but suppose you tried it and the workers had been trained to a difficult trade now wiped out, might not the loss of time and strength in teaching them a new trade more than eat up your profit? Who arranges this high-daddy "international exchange" so it wont leak a drop?

VIII

IN ORDER THAT THESE WILY PLAINTIFFS MAY FLOURISH, WAGE-PRODUCERS THE WORLD OVER MUST DIE.

Your Honors, we trust you will further bear with us and our brain-cells while we call your attention again to the fact that these wily plaintiffs flourish best where their operations are most certainly fatal to the lives of wage-producers; that is, where the fall of their victims from high to low wages, from high to low living, is farthest. Your Honors, both of these wily plaintiffs are loaded at both ends for destruction. The Importing Trust flourishes here by causing our wage-producers to bid for their lives against the poorest-paid labor in the world; while, being an Exporting Trust abroad, in order to find goods there to continue its work of death here, it causes wage-producers there to rush to narrower fields of employment and so cut down their own wages. On the other hand, the Exporting Trust reverses the order of destruction. Here, if successful, it congests on specific employments our wage-producers who then tumble over each other for jobs in those employments, and plump down go their wages; and, abroad, our Exporting Trust, being there an Importing Trust, makes wage-producers temporarily compete for employment against our superior machinery and methods here in specific lines; and so the work of death of these wily plaintiffs goes merrily on. Thus the entire business of

these wily plaintiffs is to make two competing groups of wage-producers see who can survive on the least food, wear the poorest clothes, and live in the poorest houses; thus cutting off the lives of the weak, and making weaker the lives of the strong. Moreover they go forth to all climes and countries in search of the best chance to destroy wage-producers in this way, often starving to death wage-producers in some dear climate by forcing them to work for the same wages as wage-producers in a cheap climate.

Yes, your Honors, these wily plaintiffs search the earth over for places where goods are made at the lowest costs; in order to search the earth again and find where similar goods cost the most to produce; and when such places are found they sell out of their jobs and their lives the workers who make goods at the higher cost. Verily, in order that these wily plaintiffs may flourish, wage-producers the world over must die. This foreign trade is the most destructive and heartless pursuit in which human beings can engage; and yet the brain-cells of these wily plaintiffs seem well fitted for the job.

IX

THESE WILY PLAINTIFFS PREVENT THE DAWNING
FOR THE WORLD OF A BRIGHTER AND HAPPIER DAY.

For wage-producers, life is indeed made hard and barren, your Honors, a losing game, so to speak, where these wily plaintiffs have free course. But on the other hand what an oppor-

tunity to live in the broadest and richest sense is afforded by a tariff-dike and dam which compel domestic demand to look alone to domestic supply; and domestic supply to look alone to domestic demand. This makes an endless chain of prosperity. Every rising sun sees the country's whole demand carried to the country's domestic market to absorb the accumulated supply and leave there a vacuum into which may flow another greater supply. For, your Honors, the secret of our prosperity behind a high tariff-dike is the fact that people's wants multiply with their satisfying. When there is any hope of their fulfillment, human ambitions for better things are never still. Wants multiply with the means of filling them. When the wage-producer is steadily at work and wages are high, he not only provides his family with what he can pay cash for; but also pianos and music lessons for his girls, books, ponies and bicycles for his boys, and better and more clothing for his whole family, to say nothing of education in its various forms for his young people, for which he may to some extent mortgage his expectation of the future; and when the tariff-dike and dam are high, he does not trust the future in vain; for his rising wages see him through his highest hopes. And so, your Honors, industries multiply and expand to meet the multiplying wants of busy wage-producers; and the result is a boom of prosperity.

Why, your Honors, it is all so easy to understand! A single man's wages act upon our market like hydraulic pressure, which multiplies the unit of pressure many fold; and a single opportunity to exchange furnished the market by the wages of a single wage-producer clears a path for

a series of exchanges, each exchange doing as much good to others as the first did to the wage-producer to whom the tariff-dike gave a good job. And thus, your Honors, the growth of desires with the hope of satisfaction will keep on forever behind the dike and the dam; and, with growth in the number of those who assist in production and thus by their wages put hydraulic pressure on demand, will keep the demand for wage-producers greater than the supply; so that wages will keep on rising, in spite of growing population and what would otherwise be greater competition between wage-producers; until wealth is scattered widely among us all so that property-producers, besides interest on their capital, will get only about the same wages for their trouble in the work of production as those received by the wage-producers in their shops.

And here, your Honors, we observe a derisive smile on the faces of counsel for the wily plaintiffs and anticipate their rejoinder. "What!" they will say, "Build a Chinese Wall around the country! On the one hand allow the whole people to be choked to death by the 'trusts,' who will 'screw up' prices to the strangling point! And on the other hand, allow the labor unions to 'screw up' wages until business comes to a standstill! Allow the 'consumer' to be robbed and murdered outright by such brigands as these!" Our reply is that the tariff-dike does not keep out of this country capital on the one hand or labor on the other; and just as long as prices are higher than a fair profit requires, just so long will foreign capital come in to take its chance at the same blackberry bush which the "trusts" are stripping. And just so long as American wages will buy more

here behind the dike than foreign wages will buy in other countries, just so long will there be a stream of immigration, now over a million souls a year, bringing in workers from all over the world to share wages in this country. Inflowing capital will keep down prices; and inflowing men and women will make wages reasonable. But capital comes by millions through a single cable message; while the coming of labor drags slowly through the years; so capital will compete with capital more strongly than labor with labor; and prices will fall while wages rise and, in the way we have said, wealth will reach a wider and wider distribution.

And why is not our plan, your Honors, the best one to cause the dawning on the world of a brighter and happier day? By it are we not now inviting here all the peoples of the earth? As we have just said they are now coming at the rate of a million or more a year. They are coming to a land of employment under a system which constantly makes the poor richer and the rich divide more and more with the poor through the medium of wages. When these people come here, we have them under our flag, subject to our laws and our civilization. And what is more appropriate? Are we not all immigrants together? Should we not share our system of wealth-distribution with them, especially when they bring their willing hands and needy bodies to help us both in production and in consumption? If it is "foreign" trade we want, is it not better to import the trade in the bodies of these immigrants than in the form of goods to kill industry here? If we get foreign trade in this way, we can control it, sure enough. We can fence it in and have it all for ourselves

and not fight for it with all creation. What is the use of going abroad after foreign trade when, if we keep wages high here by a sky-high tariff-dike, foreign trade will come to us? In this way we are gradually annexing the world and fencing in its trade under such terms that nobody can kick. You remember what the old Quaker lady said, your Honors. We think it was something like this: "I do not see why the young men should put on their best clothes and go out to see the young women. Why, if the young men would only sit quietly at home, the young women would come to see them." And so it would be with foreign trade, if we would not go out to look it up, but sat quietly at home. And that is what it is doing in the persons of these immigrants. But that don't bring any grist to the mill of the wily plaintiff, the Importing Trust. It don't want us to annex the world in easy instalments through immigration. And so it plots against the dike which brings in the world and says, "Down with the 'trusts!' Down with the 'malefactors of great wealth,' that sell their goods dearer at home than they do abroad." Why, your Honors, if this plaintiff would only stay quiet a spell and let the dike do its perfect work, there would very soon be no "abroad" left, for all "abroad" would have been annexed to us.

X

THE WILY PLAINTIFFS BREED ANARCHISTS.

This, your Honors, is the gravest charge which we have to bring against these wily plaintiffs. Although by dynamiting our dike they scatter throughout the length and breadth of our land misery like fire-brands in standing corn; although their effect upon the temporal happiness of our people is baleful and nothing but baleful, it is their effect upon the immortal souls of our citizens which we most deeply deplore. For they not only vociferate their charges against the "trusts" and "predatory wealth," and thus divide the people into imaginary classes of "rich" and "poor," "labor" and "capital," "producer" and "consumer," whereas in this whole country there is no rich class or poor class, laboring class or capital class, consuming class, or producing class; they not only destroy all boundaries between what specific laws outline as crime and what is crime only to the frenzied victims of these wily plaintiffs, thus making each individual a judge, a jury, and a hangman for whomsoever his prejudices do not approve; they not only obliterate the landmarks of legal distinctions by thus discounting the distinctions established by ages of judicial determination; they not only substitute envy, malice, and the guess-work of prejudice in the place of fixed law; they not only foment anarchy by accusing men of being robbers and criminals for acquiring, holding, and disposing of property, ex-

actly in the same manner as do all other citizens, with the difference only that those accused have more property, hold it more securely, and dispose of it more in accordance with their own interests than do others who are less independent; they not only destroy all respect for courts that do not depart from the letter and the spirit of the law and confiscate property held by "predatory wealth," "bad combinations," and "wealthy malefactors," when the only proof that the accused are "predatory," "bad," or "malefactors," is the fact that they have property which they have acquired, held, or sold, guided by exactly the same rules and laws which guide their accusers, and not that they have violated any written or unwritten law hitherto known; they not only breathe into our ill-arranged aggregations of brain-cells the spirit of Lynch law and naked confiscation; but they also at the same time are bringing about a condition wherein a premium will be placed upon crime and a penalty upon honesty. For, your Honors, as we have said before, the instinct of self-preservation is but the instinct which leads us away from pain and towards pleasure; and we are at the mercy, not only of our various groups of brain-cells which, when they get certain sensations, urge us to act in this way but we are also at the mercy of those brain-cells which examine and approve or disapprove the means of switching on pleasure or switching off pain; which brain-cells also have the form which was given to them by heredity and previous environment, neither of which was within our control. Now, your Honors, we all love pleasure and hate pain; but we differ in the brain-cells which settle upon the means by which we take the pleasure

and leave the pain; and we are very serious in the opinion, your Honors, that the majority of us would be so weak that, were we given the choice of dying from hunger on the one hand, or living from stealing on the other, our judicial brain-cells could not hinder our desiring brain-cells from stealing instead of dying. Now, in the manner we have noted before, the tariff-dike makes it more easy and much safer to work than steal. But, alas, your Honors, when the dike is down, it looks to many of us as if the one who steals has the best time; and more and more of us decide it is better to steal than to starve; and when we are forced to steal or starve, your Honors, we listen with far more patience than otherwise to these plaintiffs who divide our people into rich and poor, capitalists and laborers, producers and consumers, the governing and the governed, and set us all quarreling with each other, in order that these plaintiffs may pinch the clothing which we have laid aside for the scrap. It is these wily plaintiffs, your Honors, who by dynamiting protection dikes and dams, cause all chronic lawlessness in this and other countries; they and their itching palms for our bank-savings; they and their life-business which is to feast from our famine. For when we feast, they are hungry, your Honors; then they holler "fire" and stampede us down stairs to the street and sit down in the seats at the table still warm with our late occupancy. But, your Honors, the policy of this country should be to make men honest and orderly by making it easier to earn a living than to steal it. This policy continued from now on would gradually make us the most moral and well-ordered community under the sun. All our brain-cells which urge towards

pleasure and away from pain, would be urging towards honest toil and away from the lives lived by pickpockets, burglars, highway robbers, and these wily plaintiffs.

Therefore our public sentiment should say to every citizen :

“If in quality and variety, the products of this country are not sufficient for your refined tastes, you would do well to emigrate to some place where you can get what you want. For, if you remain with us, you must spend with us all the money we pay you for working for us. One good turn deserves another, and our good turn in giving you a good job and good wages in working for us deserves that you return our good turn by giving us a good job at good wages working for you. But if you return our good turn by taking the money we pay you and serving our good turn on aliens abroad, you will have robbed us of our deserts, weakened us morally, mentally and physically, and proved yourself an “undesirable citizen.” For you will have taken from us some of our natural opportunities to exercise our stomachs, our consciences, our intellects and our muscles, and have left us weak in these things where we need to be strong for the strenuous lives that are before us. If you and your like, operating through the wily plaintiffs, the Importing Trust and Exporting Trust, are allowed to keep on stealing these opportunities and selling them to people in foreign parts at a profit for yourself alone, there will soon not be enough of these opportunities to go around among us here at home, and some of us must die of starvation; and a lot more of us will lie, cheat, steal and even kill to save our lives. And this would be going back to the woods and darkness of savagery, instead of forward to the sunnier heights of civilization. This is the mathematics of the case. Therefore, if you remain with us, we shall not allow you to sell out our morality, our intelligence, and our

precious human bodies to your pals in foreign countries, and grow rich and proud members of the wily plaintiff, the Importing Trust, or cannibal and fratricidal members of the Exporting Trust—also a wily plaintiff—on the reward, whether in silver or goods, of the betrayal of our nation to the spoilers.”

XI

TO PROMOTE INTERNECINE STRIFE AMONG THE PEOPLE FOR THEIR OWN PRIVATE GAIN, THE WILY PLAINTIFFS, IN DIVIDING THE PEOPLE OF THIS COUNTRY INTO “GOVERNING” AND “GOVERNED,” “RICH” AND “POOR,” “CAPITAL” AND “LABOR,” AND “PRODUCERS” AND “CONSUMERS,” ATTEMPT AN IMPOSSIBLE CLASSIFICATION.

Your Honors, it must be apparent to you by this time that there is nothing accidental in the way the American people destroy their own prosperity for the profit of these wily plaintiffs. For there may be felt at all times a strong undercurrent of public sentiment against our tariff-dike; and the cause of this undercurrent is not far to seek. It is the adroit hypnotism of these wily plaintiffs, but principally of the Importing Trust. For example, the jealousy and envy of our people are excited by calling the servants of this Republic names which imply subjection on the part of the people and awaken the hatred which all free men have for tyranny. For instance, your Honors, the Importing Trust, through its newspaper following, speaks of the President as our “ruler” and his rule as the “government at Washington;” and of peo-

ple as being "presented" to the President at the White House as if he were a king, and something more than merely our servant, and the "government" something more than merely we, the people acting through our servant the President; and this is done, your Honors, to arouse in the minds of the thoughtless a sort of "class" feeling, as if the *governing* were one class and the *governed* another, with grievances against an irresponsible despot, and with no way of getting free other than by revolution. Thus the Importing Trust foment antagonism between the people as the "government" and the people as the "governed;" and as the "government" builds the tariff-dike, the Importing Trust eggs on the "governed" until they overturn it; whereat, of course, the Importing Trust rejoices with exceeding great joy and pounces on the spoils of its victory, our domestic market. Now, your Honors, nothing could be more false than this idea which the Importing Trust suggests to our people. The president is the humble servant of the rest of us; or would be "humble," if he stopped to think how and for what purpose he was made president; and if he gets a swelled head as presidents sometimes do, why, your Honors, we have only to go quietly to the ballot-box and snow him under so deep that he cannot thaw out before late spring. The trouble with many of us is, however, your Honors, that our brain-cells which strike for violent measures are more powerful than those which are tempered by passing through the clearing house of reason; and the result is that, instead of managing our own affairs quietly and in *our* own interest, some sly fellow like the Importing Trust stands by and uses hypnotism to manage us in *his* own interest.

Again, your Honors, sometimes through its newspapers and sometimes through persons higher up, the Importing Trust, suggests that the people in this country are divided into the "poor" and the "rich," "predatory capitalists," "malefactors of great wealth," and the like. Again, your Honors, any one with but a few sound and sane brain-cells in the thinking area of his cerebrum, would know better than take such classifications as true ones. In this country there are no poor, as a class, and no rich, as a class. There are poor people and rich people; but where the poor leave off and the rich begin, no fellow can find out. What is poverty for one is wealth for another; what is wealth for one is poverty for another. It is all in the point of view. The man with a million dollars who does not want money but the love of some good woman which he can never have, is one of the poorest and most wretched of men. But the man with no more than his daily wages, no matter how small, so long as they are enough to maintain, in very reasonable comfort, him and the family he worships, is one of the richest men on earth.

Again, your Honors, there are no "predatory capitalists" in the sense that they make up a class. People are not "predatory" in a sense deserving public denunciation, unless they have broken the law, no matter whether they are "capitalists" or not; and whether or not they have broken the law is a question for the established courts; and when these courts have determined that they have broken the law, the same courts will punish them without any oratorical foam and fury, self-advertisement and self-glorification, and still irrespective of whether or not they are "capitalists."

And until the courts have determined that people have broken laws, people are all innocent before the law. And any one who will brand a great body of people in a general way as "predatory capitalists," and then leave it for the prejudices of each individual to make personal application as they please, convicts himself at least of having more brain-cells of force than brain-cells of fairness, and not knowing a "square deal" when he sees it. In fact he is a good anarchist. For he is destroying the standard by which to judge, your Honors. The law and its definitions of crime are ignored by people with brain-cells of this kind, who cast reproach broadside at an indefinite cloud of people. It is then a go-as-you-please competition between those who wish to stick labels marked "predatory capitalist" on any one whom, not the courts, not the law, not orderly procedure; but whom the particular label-sticker desires so to mark. This, your Honors, is to discount law at a very low figure. "Predatory capitalist" is used in a condemnatory sense; and, as we have said, to apply such terms with any color of authority is to breed anarchy, to make every man the executioner of whomsoever disagrees with him in opinion or is superior to him in wealth. To apply such terms as this is to show very weak brain-cells where brain-cells should be strong. For to single out "capitalist" as a class to which to attach the term "predatory" is as narrow as to condemn a man without a hearing because he is Jew or Gentile, white or colored, and not because he has done wrong. All "predatory" people are punishable to the extent of the law, whether they are "capitalists" or not capitalists; but to refer to "predatory" capitalists is a dangerous thing;

since there are those with such weak brain-cells that forever thereafter they will consider that "predatory" is particularly descriptive of "capitalists" and therefore that a "capitalist" is necessarily "predatory," a sort of an outlaw, to shy at whom is doing God's service. Here is a bad jumble of brain-cells, your Honors.

And it is the same, your Honors, with "malefactors of great wealth," and all similar expressions. The injury done to the judicial capacity of the thoughtless by thus selecting people of wealth alone to pillory as "malefactors," is very great. Yet the wily plaintiff, the Importing Trust, puts these expressions in the mouths of its newspaper organs and its open and secret members everywhere, for the express purpose of making the people, in the end, destroy the tariff-dike and bring great wealth to the purse of the Importing Trust.

Another expression, used with misleading and inflammatory intent, is "capital" and "labor." There is no such thing as "capital" in the class sense; nor is there in this country, any such thing as "labor" in that sense. As a matter of fact, every man who handles capital is a laborer, often a very strenuous and unresting one; while every man who labors is a capitalist. But where the laborer leaves off and the capitalist begins; or where the capitalist leaves off and the laborer begins, it is impossible to say. No man could use capital successfully without personal labor; and no laborer could offer the work of his hands without capital. The only classification possible among people who are thus all capitalists and all laborers at one and the same time is the one which we mentioned a little while ago, that of "wage-produ-

cers," "property-producers," and "adjunct-producers;" which includes everybody in this country, except the juvenile, the senile, the sick, the tramps, and the "consumers," who live on their money and never earn any. There is really no way to classify people in the manner given out by the wily plaintiff, the Importing Trust, whose echo in this matter the Exporting Trust sometimes is.

But perhaps, your Honors, in this busy land, where everyone worth while depends upon some form of property-production for his means of living, the most mischievous work of the Importing Trust, in this attempt to divide us all into hostile camps is that which it does by separating us all into "producers" and "consumers," as if each group were a tribe by itself, with its knives and tomahawks whetted for the throats and skulls of the other fellows. Nothing could be farther from the fact than that there are two classes of this kind; and we cannot understand in what way the wily plaintiff, the Importing Trust, somewhat feebly backed in this regard by the wily plaintiff, the Exporting Trust, could have hoped to impress this classification upon our people; unless perhaps it was a harking back to conditions in Great Britain and the continent, where the feudal system was the mother of a distinct class of grandees who practically owned the bodies and souls of the workers within their zones of influence, the workers being regarded as the "producers" and the grandees and their families and favorites being regarded as "consumers." It must have been under such conditions, where labor was considered degrading by the upper classes, who practically owned and felt they had a right to the earnings of the "producers," that this idea of a separation

of workers into "producers" and "consumers" had its origin, the same classification being now made here by the Importing Trust to inflate the pride of would-be grandees in this country, who also feel as if labor is performed by a lower race than themselves. We may depend, your Honors, that it was during this feudal condition and the separation of people into workers or "producers" and rulers or "consumers" that the old laws and rulings against "restraint of trade" were made, which had no other object than to flog the "producers," the practical slaves of the "consumers," into surrendering to the "consumers" or non-producers, without regard to the cost to the workers or producers, the results of the latter's labor, at the price which the "consumers" might themselves consider fair. Thus, when the grandees on the one hand combined to force legal rulings against "combinations in restraint of trade," they outlawed on the other combinations which were merely offsets to their own combination, which latter was contrived to enforce destructive competition. We have certain people in this country, whose brain-cells in the equity division are small and feeble, and who make a great deal of capital by following in the footsteps of those old grandees and their oppression of the "proudcers." We venture to say, your Honors, that every rule made against "combinations in restraint of trade" was made by some combination to compel the producer, through destructive competition, to give up his property at a ruin price to the "consumer." The corrupt source of the laws against combinations in restraint of trade is proven by the fact that there was no law preventing any corporation in which the grandees or "consumers" had stock

interests, no matter how large and how comprehensive in its hold on prime necessities of life, from acquiring as much or as little property as it pleased, sending it where it pleased, selling it as soon or as late as it pleased and at what price and under whatever conditions it pleased; and no law thus limiting property rights in corporations has ever been since made and all the talk of our Importing-Trust-owned demagogues against "bad corporations," in which they promise to prevent the "extortions" of the trusts is idle clap-trap and must remain so until a constitutional amendment lodges in Congress absolute power to limit the property-rights of all citizens of the United States in any way it pleases; and then any political party which holds the presidency and both branches of Congress can strip the "other fellows" of as much of their property as they please, at any rate up to the limit where it would make Lucifer blush for the depravity of his brain-cells, had he been such a thief.

Your Honours, it seems impossible to divide our active people into "producers" and "consumers;" for it seems to us, your Honors, that production and consumption are the same thing looked at from opposite standpoints; and that, therefore, "producer" and "consumer" are the same, being merely the reverse faces of the same coin. We might mount the high horse of prancing rhetoric and say: production and consumption are but eternally alternating phases in the endless procession of changes in the phantasmagoria of matter. Look, your Honors, is not production also consumption? In his production does not the property-producer consume the "finished products" of other property-producers? And are not

these finished products also the "raw material" which some of our property producers, who, conspiring with these wily plaintiffs, desire to get from abroad over a broken tariff-dike? Looking backward to your buying market, are you not consuming; and looking forward to your selling market, are you not producing? And is it not also the same with the wage-producer? Looking backward towards his food, clothing and shelter, which have given him the energy that he is now turning into wages, is he not consuming these things? And looking forward toward his wages, is he not producing wages? It seems so to us, your Honors, and that, therefore, producer and consumer, are the same.

XII

BY AROUSING THE "CONSUMER" AGAINST THE "PRODUCER," THE WILY PLAINTIFF, THE IMPORTING TRUST, TREACHEROUSLY LURES THE "CONSUMER" TO HIS OWN DESTRUCTION.

In the active world, your Honors, every producer produces because he must consume; and every consumer consumes because he must produce. This is a law of nature. Whatever the transient form of a given mass of matter, necessity is back of all voluntary changes in its relations to another mass. It is changed in production and changed again in consumption, which itself is production. It is changed in producing a supply for him who changes it, either for his own consumption or to exchange at the demand of another for the supply

offered by that other. In either case, it is changed for further change by consumption in effecting a further production. Therefore, since a man produces a supply in order to effect a demand and consume another's supply, his demand is measured by his own supply to the market, so that his supply is practically the same thing as his demand. If you desire the demand on a market always to be equal to its supply and business to be uniformly good, you must see to it that each supply takes effect as a demand. To meet a domestic supply with a demand already satisfied by a foreign supply, is to tie the tongue of your domestic demand. It is to leave a domestic want unsupplied, and domestic misery where there should have been satisfaction. Therefore, your Honors, the happiness, yea, the very life of our community hangs upon the opportunity of its people to supply their own demands; and this depends upon whether or not the supply expressing A's want or demand meets at short and quick range B's want or demand, expressed in the terms of a supply which satisfies A's demand.

This is the whole philosophy of communal prosperity, morality, civilization, progress, refinement. By hitching supply and demand together so closely that they don't leak a drop and each exactly fills the other, all chance should be taken out of the question.

Ah, we hear our learned brother at our left, counsel for the wily plaintiffs, say in a stage whisper: "And what a fix your producers would be in from overproduction, if they found no market but that made by their own bellies, backs, and beds!" No, your Honors, there would be no overproduction. There would be production enough

to keep the whole community happy, with a safe margin for emergencies; and then there would be here and there a holiday, a few more picnics and periods of rest and rationality. There would be a happy communal life; but there would not be the piling up of great fortunes at the expense of the overworked. The confinement of home demand to home supply and contrariwise, would make such a division of wealth that wage-producers would be able to work fewer hours in a day and fewer days in a week and still save just as much for a rainy day.

It is just as bad to allow your domestic supply to be wasted on foreign demand as it is to allow your domestic demand to be wasted on foreign supply. To do the first is to raise prices. To do the second is to depress wages. To do either is to separate producer and consumer, which prevents the wage-producer from receiving back in full the energy and life which he has put into his product. The condition of an even exchange in this regard is that a man as a producer should be separated from himself as a consumer by as small a gap as possible. In the primitive state, each man supplied his own wants and wanted only his own supply. But now-a-days we make directly a single sort of thing and by proxy all the other things we need. With most of us, wages are the only thing we produce directly, while we produce by proxy everything necessary for our use. We hire others to do our work. Others hire us to do their work. We producers are all agents for each other and each of us is entitled to just as many agents as he can pay for with his own work for them. But now along comes the Importing Trust, and by some one of its mouthpieces says,

“the price of bread is too high. The ‘consumer’ is being robbed. Give us a low tariff-dike on the side of wheat.” Now one of these badly used “consumers” is a cobbler, for instance. He is mending shoes directly but raising wheat by proxy; and the price the farmer pays for cobbling depends on the price he pays the farmer for wheat. So the “consumer,” the cobbler, is as much interested in a good price for wheat as is the farmer. Cut down the price of wheat and you cut down the price of cobbling. Now suppose the people of the community harkened to the Importing Trust and, helped the wily plaintiff break the tariff-dike for wheat. Why, all the cobblers would find that the low price of wheat had put the farmers out of the cobbling shop and they were doing their cobbling themselves, or going barefoot. And the illumination of the cobblers would be but a specimen of that experienced by all the other “consumers” in town. No matter how high the prices which the “consumers” are paying, with a high tariff-dike, the community as a whole gets it all; and the “consumers” are the community. The higher the prices they pay as “consumers,” the greater the wages they get as producers. But the dear old “consumer” always figures about so large in a dike “revision” campaign, which is always a campaign of confusion of fact by the wily plaintiff, the Importing Trust, who depends upon the ignorance and fury of the people to help it steal our savings. After the battle the valiant “consumers” glory a while in their victory and then give themselves to happy slumber; but only to awaken soon to the cold and clammy fact that however warm and well filled they were last night as victorious “con-
 sumers”

mers," as "producers" they are this morning very, very hungry and forlorn.

Such an artless arrangement of brain-cells as these "consumers" have, your Honors!

XIII

BY ITS OWN RULE "BUY IN THE CHEAPEST, SELL IN THE DEAREST MARKET," THE WILY PLAINTIFF, THE IMPORTING TRUST, TACITLY SAYS, WHEN IT OFFERS US ITS GOODS, THAT WE ARE ITS DEAREST MARKET; AND THUS, TACITLY GIVES THE LIE TO ITS OWN DECLARATION THAT, IN DEALING WITH US, IT IS EXCHANGING GOODS FOR GOODS.

We know, your Honors, that it is the business of the wily plaintiff, the Importing Trust to import, and to say that neither the producer, whose products you buy nor the consumer, who buys your products, need be your next door neighbor at all; but he may just as well be in Portugal or Persia; that the course of trade will see that the thing you want to buy is handy, no matter where made; and that the thing you want to sell has a customer somewhere on earth; and that it is your privilege to exchange your product for the product of some one far away, if the distant product is cheaper than that of your next door neighbor. But you don't exchange the direct product of your hands, a coffee-pot, a hairbrush, or a door-mat, which, as a wage-producer, you have already sold for wages to the property-producer. If you tried to exchange the very thing you make for the very thing the fellow in Portugal or Persia makes, the **trade**

would stop right there; because the foreigner would not exchange with you for the simple reason that, at half your price, he could buy in some market other than ours the same thing you offer. But for what you buy abroad you exchange gold coin instead of goods or what you produce; and that deceives you as to the true nature of the trade, which is a sort of unwritten treason on your part. Because, the reason you buy a thing abroad is that you can buy it at a lower price than at home, where the price must pay back to your neighbor the same sort of high wages which he pays for your labor. That is the only reason why you buy abroad; and when the Importing Trust wants to sell you anything, that fact alone is enough to warn you that in buying you are weakening a home industry. For the business of the wily plaintiff is to "buy in the cheapest market and sell in the dearest" and its selling to you is a sign that you are its dearest market for that article. In other words, that some other locality than your own country has been discovered by the Importing Trust where the article is made more cheaply than it is made here; which makes the purchasing of that article from the wily plaintiff by our people the same as the substitution of an industry in Portugal or Persia for one in the United States, and, over a whole industry, separates the producing side from the consuming side; which simply means the death of that industry and the death of many and the degradation of all its wage-producers. It would be a good plan for every American wage-producer, before helping the Importing Trust "revise" the dike, to see how far he could go in exchanging the very article he makes in the shop with some

article shown on the counters of the Importing Trust in this country.

It would be easy to smoke out the wily plaintiff in this way and test its own belief in what it says about international trade being an even exchange of goods; and about the necessity of buying if you wish to sell. For if it wanted your goods so badly, it would charge you no commission at all, but would take your goods at your price, which would cover your high wages, the cost of the material and the property-producer's profit; and in exchange and to the extent of your price would give you goods which it had brought from abroad, charging no commissions to the producers abroad, and making the price of the foreign goods to you just enough to cover the wages paid abroad, the materials, and the usual profit to the foreign maker. If the wily plaintiff would take your goods on these terms, it would be a sign it could sell them abroad; that there was a real demand there for the very kind of goods you made and that such demand was good enough to bear the commissions of the wily plaintiff in the price at which it sold them.

But on the other hand, if when you went up to its counter, the wily plaintiff wanted you to pay in cash instead of in your own goods, it would prove that, for the same money, the wily plaintiff could buy abroad more of your kind of goods than you are willing to sell.

Since it is the Importing Trust which is "rooting" for a tariff-dike "revision" downwards, it must be doing so for its own profit and because it believes that such "revision" would increase its sales in our market; and since everybody knows that the Importing Trust takes nothing but gold for goods sold to our people, it is plain that its

goods are cheaper than ours and that if we traded with it, it would destroy American industries by buying our gold with its goods and thus separating those industries entirely from their "consumers."

We think, your Honors, we have proven that, to a fatal degree, the Importing Trust is separating our consumers from our producing side; and that we have incidentally accounted for the hunger, soup houses, nakedness, crimes, diseases and untimely deaths which follow on the heels of tariff-dike "revision" and the good luck of this wily plaintiff in maddening our people against the "trusts," our client, American Production.

We think an inspection of the cerebrum of the wily plaintiff, your Honor, would reveal a flourishing colony of brain-cells in the organ of Appetite, but a yellow, sickly, puny, scattering and expiring handful of the same in the organ of Compassion.

XIV

THE WILY PLAINTIFF, THE IMPORTING TRUST, WHEN IT URGES DIKE "REVISION" ON BEHALF OF AMERICAN MANUFACTURERS, IN ORDER THAT THE LATTER MAY CHEAPEN THEIR PRODUCT AND SO CONQUER "THE MARKETS OF THE WORLD," KNOWS THAT, FOR ITS OWN PURPOSES, IT IS HOLDING OUT AN ILLUSORY HOPE.

Your Honors, those acquainted with the history of the wily plaintiff, the Importing Trust, should be amused by its worry at the present time over the health of that branch of our client devoted to manufacturing. We could hardly believe our ears

when counsel for said wily plaintiff, his voice modulated to tones of touching tenderness, deplored the "selfishness" and the "greed" and the "avarice" which led so many Americans to want a high-tariff dike, even though it made "raw materials" dear for our dear manufacturers, thus making their product dearer, and shutting them from the mighty profits which he said were awaiting said manufacturers "in the markets of the world," and which would be theirs when the dike was lowered and the boon of "free raw materials" conferred upon them. Why, your Honors, what brain-storm has scattered the cells presiding over morality and equity in the cerebrum of this wily plaintiff! Lo, after years of calling our manufacturers "robber barons," fattening from the blood of our "consumers;" and "pampered creatures" of "class legislation," which made ducks and drakes of the great Democratic principle of "equal rights to all, special privileges to none," the wily plaintiff has ceased this terrible condemnation and on the contrary is filled with tremblings lest our manufacturers should make not too great but too small profits from our people; and is imploringly pointing the way by which their depredations may be no longer confined to this country but luxuriated in also by all the grand peoples who buy their manufactures in the "markets of the world." No pent-up Utica should now contract the powers of those who formerly could do nothing but wrong, your Honors, the wily plaintiff, the Importing Trust, being judge. By what evangel has the American manufacturer thus been converted from sinner to saint, your Honors! Ah, your Honors, we are beset with gloomy doubts. We have read Aesop, and we remember the story how Mr. Fox praised the voice of Mr. Crow until

the latter opened his mouth to show off his voice and let fall his dinner in the jaws of Mr. Fox; and we repeat, we are harrassed with doubts as to the kindheartedness of the wily plaintiff's plaint for "free raw materials" for the American manufacturer. We are not sure but he is after Mr. Manufacturer's dinner. We fear that the real reason why the wily plaintiff wants American manufacturers to go abroad in search of "the markets of the world" is because it thinks the room of those same manufacturers in our markets here at home is better than their company, what time the wily plaintiff wishes to occupy the thoughts of the poor American "consumer." And we are confirmed in our fears for various reasons:

First, your Honors, the Dingly Tariff lets in practically free of duty all "raw materials" employed in making goods for export. Therefore the dike does not need to be "revised" to assist our manufacturers to "free raw materials" if that is all that keeps them out of the "markets of the world."

Second, in the cost of high-grade manufactures, raw material cuts very little figure. For one example, the "raw material" in a watch spring is worth almost too little for calculation; but finished watch springs are very valuable; it is the wages in the watch spring that count. What the wily plaintiff should do, if it really wants its old enemy, the American manufacturer, to conquer the markets of the world, is to import "free raw labor" that will work for less than fifteen cents a day.

For another example, if hides are imported free at the cost of our farmer's home market for hides, shoes could not be made cheaper here by more than from 2c to 4c per pair, which saving would not go into the pocket of the "consumer" but of the manufact-

urer, as it is too small to change the retail price; and it would "cut no ice" in cheapening shoes for the "capture of the markets of the world," as hides or leather to be used in exports is already "free," as above noted.

Third, we have absolute free trade now in raw silk, raw cotton, raw rubber, raw timber, raw hard coal, raw petroleum, and various "raw" other things and we export no more of the finished products of these things than we would do if there were a tariff against them all when imported.

Fourth, in order, by lowering the dike against "raw materials," to "capture the markets of the world," our manufacturers would still have to pay freights and insurance on their goods to the foreign markets; and at the ports of foreign countries pay high tariffs, which are levied by most of them to protect their domestic industries. Does the wily plaintiff mean to tell us, your Honors, that, after these other additions to cost, our tariff on "raw materials" is the only thing which still keeps our manufacturers out of the "markets of the world."

Fifth, very many American manufacturers, the number of whom is increasing daily, have built branch factories in the very foreign countries to which the wily plaintiff claims these same manufacturers wish to export goods and capture "the markets of the world;" and thus these manufacturers already have, free from American tariffs, all the "raw material" they need from which to make goods to sell in the countries where their branch plants are, and at the same time they pay no freights and insurance on goods to those markets, as they would do if supplying them from their American plants.

Sixth, it looks very much as if the wily plaintiff

had made common cause with American capital having branch plants abroad, to "revise" the tariff dike so far downward that both the wily plaintiff, the Importing Trust; and American expatriated manufacturers could get goods into this country from the low foreign pay-rolls.

Seventh, "raw materials" and "finished products" are different names for precisely the same identical articles. It depends upon the point of view which expression is used. If the tariff-dike is to be "revised" downward to admit "raw materials," it must simply be taken down for everything. If it needs to be put up to protect "finished products," it must be put up to protect everything. When the learned counsel for the wily plaintiff says we should "revise" the dike downward as to raw materials, he means either that we should take it all down so as to let all things in free, or take it down for certain things only; that is expose the goods of one American producer to free trade in order that some other American producer may add to the profit he already has from his protected market here any profit he may be able to get from "free raw materials" and sending some of his goods to "the markets of the world." Does this do credit to those brain-cells of the wily plaintiff which rule or are supposed to rule its sense of justice?

Eighth, under no circumstances could our manufacturers ever capture the "markets of the world," in any such sense that, for any article now known to commerce they could monopolize the foreign market for any great length of time. And this for the simple reason that there is no article known to commerce which, with the same machinery and the same organization as those employed here, cannot be produced in the outside world for not to

exceed one-half of the lowest possible ultimate cost in the United States. This is a fact too well known for discussion between those who know the actual cost of production in the outside world. Our articles of greatest export are wheat and cotton; but this happens by accident in the world's development. In Europe, Asia, Africa and South America are hundreds of millions of acres fully as well adapted to raising wheat and cotton as the best land we have; while in Mexico, next door and Central America, near at hand, are great tracts of cotton soil equal to our cotton belt; and these foreign fields are at the moment almost wholly untilled. The conquest of the earth by the mechanical, industrial and commercial age in which we now find ourselves began in such a way as to pick up our lands first and leave these broader and richer acres for later invasion. But the invasion is now at the door. For Mexico, Central America, South America, Africa and Asia are being assailed by the world's unfixed capital in greater and greater volume; and billions of American capital are interested in this movement also, and for the express purpose, as we have said, of sending back to our home market here products made at the low costs possible from working virgin soils with the coolie labor of the world. And this expatriated American capital stands by the side of the wily plaintiff, the Importing Trust, and holds up its hands in its deadly assault, through its newspapers and American political allies, upon the tariff-dike, which alone stands between the American wage-producer and the deluge.

Your Honors, under this eighth head, let us note the fact that the countries which are each and all our competitors in this desperate battle to dom-

inate "the markets of the world" are themselves, for us, "the markets of the world." Also that in population, capital, skilled labor, soil, and all other things needful for production, they are at least sixteen times as large as we are. Also that at least one-third of their combined areas, containing the richest soils, the most valuable mines, the deepest forests, and the cheapest and most industrious labor in the world, lies within the tropics; and that at least two-thirds of the combined areas of these countries lies between the 30th parallels of north and south latitudes, in all of which cost of subsistence, which is the cost of production, averages not over one-fifth of the lowest average in the United States. And let us note farther one more fact, namely, that beginning with England, where wages average one-half of those in the United States; and crossing over to Germany, where wages average but one-third of what they do here; to France where the average is nearly the same as in Germany; and to Italy, where the average wages are but one-fourth the American; and going eastward to the shore of the Pacific and to Japan, wages become lower and lower than they are in the United States. In Japan, the last country before we reach American territory again, from 80 to 90 per cent. of the labor in its manifold factories shipping goods here are women and girls, the women being paid 11 to 12 cents for a 11-hour day and the girls from 7 to 8 cents for the same period; and the factories which employ these women buy their so-called "raw material" in the rest of the world, some of it from us, pay the freight from abroad to their factories, and back across over the tariff-dike to our shops and stores here in the United States, and then undersell here under our very noses anything that we make of

a like nature. These Japanese factories are watering our civilization now. What would they do if the tariff-dike were "revised?" Looking at the matter from the standpoint of percentages and taking 100 as the standard wage-payment when countries are compared, since we pay the highest wages in the world, our wagescale would be denoted by 100. Now, it is not too extravagant to say that, taking the world around, the average of the foreign pay-rolls is not over one-fifth of ours for the same labor.

Therefore, if our wage-rate is denoted by 100, the average wage-rate in the world outside, being but twenty per cent. of ours, should be denoted by 20.

Now, your Honors, the cost of everything in this world from top to bottom is the cost of labor—somebody's labor. Therefore the price of an article contains in it the wages of every person who has had anything to do with its production, followed from where the so-called raw-material was first contracted for, even from the surveying and purchase of the title of a mine, a farm, or a timber tract, all the way down to where the price which attracts our attention was realized. And wages are merely the cost of the wage-producer's subsistence. Where, therefore in view of the cost of it's keep as shown by wages, life is only 20% as expensive as ours, goods are eventually going to be but 20% as expensive as ours in the making. And a prudent estimate would discount any temporary advantage we may have in machinery or other things. Well, then, 20% of ours is the average cost of goods in the outside world as fixed by a prudent estimate. Now, your Honors, as a broad proposition, does it look reasonable that the world's

capital, considered as an aggregate and armed with an executive head, is going to be satisfied to furnish for the "markets of the world" goods which cost it \$1 to make here in the United States, when it can make the same supply in the outside world at a cost of 20c? For, in view of what the wily plaintiff, the Importing Trust says, that, in order to "capture the markets of the world," we merely need to "re-vise" our tariff downwards and give our manufacturers the benefit of "free raw materials," the broad proposition we have to consider is to make our \$1 beat the world's 20c cost.

Now, if the index number of average cost in the United States stands at 100 and the average cost in the rest of the world at 20, supposing we let in free over our tariff-dike, not here and there an ingredient in the products of our manufacturers, but each and every ingredient entering therein; how far, after paying freights and insurance on their "raw materials" from abroad, would this help our manufacturers reduce their cost-100 so that the product ready to be shipped to "the markets of the world," would cost but, say, 19 instead of the present cost abroad of 20? Because in the difference of 1 is embraced the profit of our manufacturers, together with freights and insurance from here abroad, not to speak of the tariff which American goods must pay foreign governments to enter the "markets of the world." For it must be remembered that, if we are to capture "the markets of the world" through "free raw materials," we must pay freights, insurance, cartages, and expressages on "free raw materials" both to and from our ports; whereas the foreigner who manufactures at 20 already has among his supplies these raw materials which we buy of him and

he therefore has to pay no tariffs, freights, or insurance on them, 20 representing every expense of producing his article, including profit, to the point of sale in the market. We repeat, how far could "free raw materials" help our manufacturers to the "markets of the world" under these circumstances?

Another thing which we have not noted, and it is the most important item of all: If our manufacturers had "free raw materials" at a cost of 20, how would they also get at 20 the labor necessary to make up their materials into finished products?

We must remember that labor here is at 100 instead of 20 and that it is the most expensive ingredient in the product. Ah, what does the learned counsel for the wily plaintiff remark? Does he say that letting in raw materials free would liberate so many of our wage-producers from other employments that they also would be glad to work at 20? That is just what we thought and what we have been coming to, namely, that "free raw materials" are after all our own finished products, and their free importation cannot be of any use to our manufacturers in "capturing the markets of the world," unless we have "free raw labor" also; and that both what the wily plaintiff, the Importing Trust, and the wily plaintiff, the Exporting Trust, are really fighting for is, not to let American goods out, but to let foreign goods in.

For the purpose of profiting; either with or without a dike, the position of the wily plaintiff, the Exporting Trust, is unique. It does not like the tariff-dike; because that takes the profit from the goods made in its foreign plants at wage-20, by making it pay wages here equal to wage-100. But while the tariff-dike is high, the foreign-American, behind the dike, running his American plant, gets here at

least the American price for whatever goods he sells in competition with other American producers who have no foreign plants. Meanwhile, he works all the time for "free raw materials," in order, if successful, to get what advantage he may against his American competitors of less power as wholesale purchasers of material. But he greatly prefers the dike to be so broken not that the materials of which his product is made may be admitted free, but the finished product itself from his foreign plant; and, if he succeeds in smashing the dike, he closes his American factories and runs his foreign branches on double time, and, by making at wage-20 and sending his goods in here, drowns out competition from American factories that have no foreign branches. He then works our market here from the 100 price all the way down to the lowest limit in the falling market that always follows a break in our wage-schedule. Thus the Exporting Trust clams the tide both out and in.

Ninth. We have given eight reasons why we question the good faith of these wily plaintiffs in their crusade against the tariff-dike to "capture the markets of the world;" but the ninth it seems to us should appeal to the hard common sense of your Honors as well as to your legal acumen; and it is this: We are here a country of 100. That refers to cost, price, wages, and business-volume. For, as to the business-volume, we have already said that the entire value of the country's products is the wage it pays itself for doing its own work; and "business" is the mere act of making this payment through our merchants who hand out the goods. In other words the product-volume is the wage-volume, and the wage-volume is the business-volume. Now, we think we have proven that to disturb the

tariff-dike at all is to let in foreign goods at cost-20, hence wage-20—as cost is all somebody's wages,—hence business-volume-20. Therefore, in the measure that “revision” of the dike increases foreign competing imports, it reduces our business-volume from 100 towards 20. It follows, of course, that if the dike is so broken that there is no protection left against foreign goods, our business-volume must land at 20, that is, at wage-20, in which costs of subsistence come in on the basis of sustenance-costs in tropical and semi-tropical areas; and these are so low that we shall die of starvation before we reach them. This great fact, viz., the reduction of the volume of our domestic business *pari passu* with the influx of foreign competing goods, explains all “over-production,” “scarcity of money,” “high price of gold,” “dullness of trade,” “depression in business circles,” “industrial decline,” “hard times,” “panics,” and poverty, which always follow any break in our tariff-dike. The wily plaintiffs know this as well as we and therefore know that for us to “capture the markets of the world,” by “revising” the dike, is to wipe out our domestic business.

Tenth. This reason for doubting the good faith of the wily plaintiffs is their knowledge of the conditions upon which capital remains at work in this country. For, as we have said, we are a cost-100 country; the world at large, against the whole of which we must buck to hold our own domestic market in low-dike times, is a cost-20 country. Now the only condition upon which capital will work anywhere is that of making a profit at least equal to that made by capital in similar lines elsewhere. A patriotic, nation-building policy would make the tariff-dike so high that it would make higher than

the domestic cost the cost of landing in our market the goods of the cheapest country in the world. In other words, no foreign goods would be admitted at so low a tariff considering their cost, as to stand on equal terms with domestic goods. Citizens of this country, living quietly under its laws, supporting its government, submitting to taxation for the maintenance of its institutions, and ready to spring to its armed defense in case of need, ought, in all equity, to be preferred in our markets over aliens abroad who do nothing at all for the country's good. But the only condition upon which capital will remain at work here is that a tariff-dike raises the foreign cost to that of the domestic. Otherwise active capital here has the alternative of either migrating to lower-cost areas or being dissipated into the hands and added to the capital of its competitors abroad. For it is plain that, with a "revenue-tariff" dike only, the capital invested by our property-producers in making goods would not be returned to their keeping in their price. If their goods sold at all against lower-cost goods, from their cost-100 goods they would get back but a portion of their cost, the balance remaining with the American purchaser. If American purchasers continued to give them preference at the same price as the goods offered by the Importing Trust, it would all end by our property-producers losing all their capital to their customers and stopping business; which would leave the field entirely to the Importing Trust; and thereupon the money from our property-producers' capital, scattered into the hands of the American purchasers, would now be spent by the latter with the Importing Trust, which, after deducting its commissions, would send it to the foreign producer, who would use it in making more

goods wherewith to destroy any of our industries still left standing.*

In this way, with the tariff-dike "revised" and made lower than would equalize the lowest foreign cost to cost-100, our capital would go to foreign producers. But our capitalists would not wait for that. They would either discharge their wage-producers, close their factories, save as much as possible of their cash and credit and wait for the next presidential campaign to restore the dike; or, which is more likely, they would go abroad with their capital, best skilled labor, machinery and methods. And the great majority of our own wage-producers and the aforetime property-producers of the smaller sizes, would be turned out to live directly from the soil like the rabbits and woodchucks and other such "small deer." This would cost us our civilization and millions of our workers' lives, cut off by breaking connection between food and stomachs.

From the foregoing ten reasons, all well known to the wily plaintiffs, we think we have proven that

* A low tariff dike does not wait for the exhaustion of our capital before closing our factories. It has been the custom of the Importing Trust, at every prospective lowering of the dike below the protective limit, to leave with our wholesale merchants a written guarantee to furnish any goods in its line at something like 10 per cent. less than the lowest offering of American makers no matter what. This method has secured the American demand for the supply of the Importing Trust from the very start and caused the almost immediate closing of all American factories thus exposed to the competition of the Importing Trust. This practice accounts for the fact that it was no sooner known, in November, 1892, that Mr. Cleveland, a free trader, and a Congress, free trade in both branches, would control tariff legislation thereafter, than the country was seized with a violent panic and factories were closed on all hands and working forces of those still open heavily reduced. Even as early as that, it is safe to say, the Importing Trust had its underbidding schedules in the hands of American wholesalers, which was sufficient to discount the impending free-trade legislation and make the actual business condition of the country the same as if such legislation had already taken place.

these wily plaintiffs know that they are putting forth a poisoned bait when they invite our property-and-wage-producers into their trap of "the world's markets."

And your Honors, we think you will bear with us when we say that, using the term in the same sense in which the wily plaintiff, the Importing Trust, uses it against all our great industries, the wily plaintiff, the Importing Trust, and the wily plaintiff, the Exporting Trust, making common cause, form the wickedest trust in the world; and we verily believe that an inspection of the brain-cells of this wickedest trust in the world would reveal the same nature as that shown by the brain-cells of the late lamented Kiug of the Cannibal Islands.

XV

IN KEEPING A NEWSPAPER CLAUQUE CONSTANTLY EMPLOYED IN CULTIVATING A PUBLIC OPINION AGAINST THE TARIFF-DIKE, THE WILY PLAINTIFF, THE IMPORTING TRUST, IS WORKING FOR ITS OWN POCKET ALL THE TIME.

Your Honors, in and out of season, especially in the great importing cities, where the wily plaintiff, the Importing Trust, is almost supreme in power, you read in the newspapers, slurs of all sorts against the policy which builds tariff-dikes, from those which damn by faint praise, which often appear in newspapers pretending to be protectionist, to those which denounce the tariff-dike as the work of "robber-barons," purchasing Congress through

campaign contributions. We should study this hostility to the tariff-dike, and the purpose to destroy it, which in the breast of the Importing Trust never slumbers or sleeps. The following appeared not long ago in a newspaper published in our greatest importing city, a newspaper which for a century has been a tool of the Importing Trust to undermine American Production :

“The hide of the stand-patter is extremely tough and its sense of humor is slight, judging from the reply of the Kennebec Journal to this sarcasm of the Waterville (Me.) Sentinel: ‘The idea that the Dingley tariff is responsible for all business advancement robs the Almighty of the credit of all of the natural blessings which He has bestowed upon us, and robs mankind of the credit of having accomplished anything for itself by industry, frugality, and enterprise.’ The reply is: The people of Maine know that they are enjoying to-day, under the Dingley tariff law, the greatest period of prosperity in their history.’”

This is an attempt, your Honors, to belittle the work of the tariff-dike, by accusing the Almighty of favoritism to our country in giving it “natural blessings,” the like of which He has given to no others of His children. It does not need to be pointed out that this is little short of an impeachment of the Most High on the ground of injustice to the rest of the world. Of course, the purpose of the article is on the surface. It is merely to make light of the effect of the Dingley dike upon our prosperity. Every one acquainted with our industrial, commercial, and financial history knows that whenever the Importing Trust has succeeded in blinding and maddening our people so that they have broken or “revised” the dike, our “natural blessings” are worthless as against the artificial or other blessings of the countries whose payrolls are less than half as high as ours. As to our “indus-

try, frugality, and enterprise," they are about as effective in stemming the tide of foreign surplus products which rolls over our broken dike, as the efforts of a blind puppy in stemming Niagara Falls.

Here is another sample of a dike-breaker:

"A tariff must be changed to meet conditions, and only the most myopic 'stand-patter' will contend that our trade and industrial relations in 1907 bear any close resemblance to our trade and industrial relations ten years ago. The Dingley rates are in many cases out of touch with present national needs, and both for purposes of revenue and for purposes of rational protection could be altered to advantage. The great majority of the voters in the country are now convinced that protection has been a wise and helpful policy. They want to continue to apply the principle, but they want to see it applied intelligently, fairly, and for the greatest good of the greatest number."

Your Honors, when the Importing Trust wants to do a very dirty thing to our client, American Production, it piously appeals, through some protectionist newspaper, to the interest alleged to be the "greatest good of the greatest number." We are sorely afraid, your Honors, that the brain-cells of us all still have some likeness to those we had when we all belonged more or less to the genus *Viator-homo*, an animal which, sometimes all by his lonesome, sometimes in pairs, and sometimes in great numbers, but all on one and the same "job," in olden times infested our highways. When these worthies saw an innocent but rich wayfarer making tracks in their direction, they hastily took a vote on the subject which invariably decided that "the greatest good of the greatest number," of their crowd, demanded that they should pounce on the innocent but rich wayfarer, who was himself merely "a malefactor of great wealth," and divide

equally between themselves his clothing and other goods.

This is the sort of a vote which before announcing that the greatest good of the greatest number—of importers—demands a “revision” of the Dingley dike the members of the Importing Trust are taking among themselves now. The item last mentioned ends as follows:

“But whether ‘revision’ is to come a year sooner or a year later, the fact is clear that the country is beginning to think the time is near at hand for overhauling the tariff of 1897.”

“The country,” your Honors, means the Importing Trust. When it is manufacturing public opinion it bows to itself in this way through newspapers such as the one last quoted. The taking way in which the wily plaintiff, the Importing Trust, uses this word “country” is the secret of its fooling so many people all the time.

Here is another specimen of the public-opinion makers circulated through its newspapers by the wily plaintiff, the Importing Trust:

“This newspaper does not think there is any excuse for the United States longer shutting its eyes against the fact that the whole world is engaged in tariff adjustments, and that an ossified tariff involves the menace of an ossified commerce.”

This paper was rooting for “revision” when it published this; and “revision” never means anything but “reduction;” and is never used by anybody but people who are opposed to our tariff-dike. But in order to catch more crabs in its net, the wily plaintiff baits the net merely with “revision.” That, it thinks, will fool the mollusks. When it says “the whole world is engaged in tariff adjust-

ments," it wants you to think, your Honors, that the whole world is reducing its tariffs; whereas the whole world is raising its tariffs against foreign goods, not by way of retaliation, but because it is getting the fashion for nations to do their own work and pay themselves therefor. When in this article, it refers to the "menace of an ossified commerce," it wants you to think that "commerce," meaning foreign commerce, is that by which we live; and that if we don't watch out and give the Importing Trust a show we shall find ourselves steering up Salt River. Whereas, the fact is that foreign commerce is our very national bane; the source of all our panics and hard times, of treachery to our national interests from within and without, the cause of the Revolution, the War of 1812, our Great Civil War, the Cuban Treaty, the rooting for Philippine free trade, the late German Agreement, and all the other mischiefs of which our nation has ever been the victim, including the periodical obsession of our industries by these wily plaintiffs, and the turning back of the Clock of American Progress ten years at a time. That is what foreign commerce does for us.

Here is a sample of dike-busting, which like all the rest of the same kidney is specially constructed to conceal the voice of the wily plaintiff, the Importing Trust, which speaks through it:

"A proposal for a revival of Democratic tariff reform is at least in the line of common sense. When stiff-necked old Assyrian hunkers like Joe Cannon come to admit the tariff is susceptible of improvement and is not a flawless and inspired whole, there must be clear proof of a popular desire for tariff revision. At any rate the Western Farmers have discovered that a high protective tariff is not a heaven-born means of getting rich without injuring anybody but the accursed foreigners."

The thing particular to note about this last ex-

ample of tariff-busting editorial comment, plainly showing as it does the dictation of the wily plaintiff, the Importing Trust, is its bell-wether character. You know, your Honors, when you want a lot of thoughtless folks to join you in some damn-foolishness, it is very important to make them think they will only be doing what a whole crowd of other people are doing or have already done; therefore, you will observe that the editor first flatters his readers that they will only be in the line of "common sense" if they assist in "a revival of Democratic tariff reform;" for "common sense" is supposed to be a sense that is common. This establishes the feeling of community and large numbers. Then see how quickly this allusion to "common sense" is followed by the assurance that any fellow who goes in for "tariff revision" will only be joining in a "popular desire;" and the editor has no sooner rung you in among the great throng of the popularly-desiring than he makes you a member of the great guild of "Western Farmers," who have discovered what a heinous thing is the protective tariff; and at the same time the editor causes your heart to swell large with pity for the poor foreigners whom you have so unjustly cussed out aforetime. This last is a real artistic touch, your Honors. It is very seldom that a hireling of the wily plaintiff, the Importing Trust, can kill so many dollars with the same pen-full of ink. For we suppose, your Honors, that these scribblers against American Production, our worthy client, are paid in proportion to the number of blows in the same paragraph they can give to the tariff-dike. Note, your Honors, the majestic climax elaborated by this gifted stabber of American Production: He first modestly brings in "tariff reform;" then with a bolder note broaches

“tariff revision;” and fetches up the rear with a roar in your ear against the “protective tariff.” Very artistic, your Honors, and very effective; a first-class example of the virus of hatred for American Production injected systematically in the veins of public opinion by the wily plaintiff, the Importing Trust. And so adroit, too! Why, bless your hearts, your Honors, the newspaper that contained this editorial counts as a Republican protectionist newspaper! And when “protectionists” themselves damn the dike isn’t that enough?

Now listen to what comes next, your Honors. It is a rich bit from an Importing Trust mouthpiece of over a hundred years standing. The occasion is the discovery by our State Department of what this newspaper calls “A Useful Cudgel” with which to “get back at” nations that do as Germany has been doing: Double their tariffs in order to halve them again as a concession to national fools like ourselves who “lie down,” as we did in the German Agreement. Kindly listen:

“Originally bestowed [the ‘cudgel’] to enable the President to retaliate for German discrimination against our meats, this power was speedily forgotten when that dispute was adjusted. It is now to be used against other nations, as the President shall determine. We see once more how tariffs are the most perfect means of producing concord and friendly feeling between nations and what measures of good-will grow out of them.”

This is a gem, your Honors, if you consider its object; which, of course, is neither more nor less than to assist the wily plaintiff, the Importing Trust, to another inning as the monopolist of our domestic market. It breathes the “lie-down” policy, so well illustrated in the German agreement before mentioned. It assumes that the tariff-dike is only a matter of caprice or an incident of political vicissitudes such as this poor land is the victim

of. It reeks with the sentiment that the way for a nation to get along is to open its markets to all other nations. And there is not an argument in it. It aims at a very low mark, namely, that part of the public devouring newspapers which nourish no brain-cells of the higher tiers. It is of the suggestive order, a sort of hypnotic pabulum for those born too tired to think for themselves. Don't argue the case at all. Just keep telling the country it is a fool to maintain a tariff-dike; keep suggesting that "concord and friendly feeling between nations" is really all our stomachs need; that tariff-dike bread and butter is a delusion and a snare! And by and by enough heads will have been filled with these hypnotic fumes to promise success for another Importing Trust Campaign against the tariff-dike.

Your Honors, there is another method of attacking the tariff-dike, very dear to the wily plaintiff, the Importing Trust; and it is even more dangerous than that illustrated by the editorial extracts which we have just read. For it does not even mention the tariff-dike. This method is that of etherealizing the sources of our prosperity. Our prosperity "comes out of everywhere into here." It **could** not come from a hard-headed and intelligent policy such as that which, by an import tariff-dike and an export-tariff dam, would confine the whole American demand to the American supply and the American supply to the American demand. Oh, no; to account for prosperity and adversity, the wily plaintiff, the Importing Trust, tells ghost-stories through its newspapers. Here is one of them :

"The fact we know to be that men and women fall in love by instinct or inexplicable passion; and that their later explanations of the precise reason are rather laugh-

able afterthoughts. May it not be the same with the emotions about finance and the state of trade?

"That feeling has a great deal to do with prosperity, and its lapsing, is an old story. Sentiment is not quoted on the exchanges, but it has much to do with fixing prices. A comfortable sense gets into the hearts of people that they are increased in goods and have need of nothing; and then they are prosperous, partly because they think they are. But when the reverse feeling sets in, they sometimes cease to be prosperous, partly because they think they are so no longer. And this is, at present, perhaps the most critical element in the commercial situation. People begin to feel it in their bones that we are in for a period of trade depression. They begin to talk to each other about it; repeat in private conversations their belief that we have passed the crest of prosperity; and little by little create a sentiment, an expectation, which may be unfounded in strict reason, but which nevertheless must be reckoned with and is certain to have a powerful influence."

This is an editorial from the regular staff of the Importing Trust. Nevertheless its writer is a poet. He reduces to a Christian Science basis the whole matter of the prosperity or adversity of a country. There is no such thing as sin, sickness, and death. "Feel" you are prosperous and prosperous you will be. "Feel" the contrary, and your financial name is Dennis. It is all in mind; no matter anywhere in it. A man does not "feel" prosperous because he knows that he will get a little more than a dollar back for every dollar he invests in staple production in this country. He does not "feel" unprosperous, because he discovers that a leak in the dike has knocked his domestic market endwise, and that if he lays out a dollar in making goods here he is certain to get back but 75c in his price. Commercial facts are nowhere; "comfortable sense" which clambers into his heart makes prosperity; and a "reverse feeling" makes adversity. Somewhere away off in the sweet empyrean sits a beneficent angel giving him absent treatment; and, lo, he is happy and prosperous. But, presto! the beneficent angel is out of business, and somewhere else, away

off in the smoking, smoldering pit of woe's inferno sits malicious animal magnetism, treating him absently, and the milk of prosperity goes sour. Brains and their judicious use no longer affect human affairs. Oh, bother them all! Pack them in your grip and send them back by American Express to Eden! They are out of date frippery from antedeluvian times! No such things as a tariff-dike, keeping out the foreign surplus deluge from your industrial gardens, could possibly have anything to do with your prosperity. Just take a good dose of "feeling" and your prosperity will glow from within you out of you like a sun.

Your Honors, with great good reason have we dubbed the Importing Trust the "wily plaintiff." Such newspaper-work as we have just described is meant for two things, viz., on the one hand, to ignore the dike entirely, if the object is a general impressing of the idea that it has nothing to do with our prosperity; and, on the other hand, when the wily plaintiff has once more destroyed the dike with a keg of anti-"trust" dynamite, to cover the tell-tale footprints of the Importing Trust up to and away from its job.

There is no doubt, your Honors, that the present administration is a mere auxiliary of the Importing Trust. The Cuban Treaty, the discharge of Appraiser Wakeman, the German Agreement, and the measures to promote smuggling generally, the strenuous effort to give the Importing Trust free access to our markets through a Philippine Hole in the Wall, to say nothing of this Taft crusade in favor of tariff "revision," more than prove this. All these assaults have badly shattered the dike; and the deluge of foreign goods upon our markets is making itself

more and more felt; and it is much to the interest of the wily plaintiff, the Importing Trust, to conceal the true cause of the hard times that are sure to follow. The editorial just read helps do that; and the same is true of the following:

“But now, what of the future? Industry as yet has shown only scant signs here and there of declining activity. The crop outlook is not altogether satisfactory, but considering the advanced prices and the great stores left over from other harvests, there is nothing in that situation to bring real disaster. The mercantile situation seems healthy”—

Yes, your Honors, healthy for the Importing Trust, whose interests are the limiting horizon of this speaker's vision. The situation should seem “healthy” for the Importing Trust, when imported goods are storming across our dike at the rate of a billion and a half a year. There is a good chance in that for healthy commissions for the wily plaintiff. It has no cause to complain. But let us continue the reading from this mystifier of that about which there is no mystery. He continues:

“Labor is still fully employed at the highest rate of wages ever paid. The banking position is sound. But in spite of all this, in spite of a half-year's record just closing, which in most lines of business will be the equal of last year's phenomenal figures, nearly all experienced business men are of the opinion that we are facing a practically certain recession in trade, that we have ahead of us a period of smaller industrial totals.”

Why, “a recession in trade,” your Honors? Has our death-roll so outstripped our birth-roll of late? Your Honors, the only possible direction from which at this time can come any “recession in trade” is from a leaking tariff-dike, lessening our home demand by letting in a deluge of foreign goods, putting out our factory fires and turning our millions of wage-producers out of doors. For with

us, the maker of trade is the American people, wages in hand, drawing upon the supply of goods which flows from American Production. So when by imports you stop American Production, you stop to the same degree, American consumption, and so, American business. Is not our orator preparing us for a stoppage of American Production? Does that mean anything else than that the tariff-dike is too low and that the tariff-juggling and smuggling of our Importing-Trust administration is supplanting American by foreign production? That is just what "a recession in trade" will prove, your Honors; and our orator is preparing us with his mysticism to expect "a recession in trade" as a matter of course, so we will not "get onto the game" of the Importing Trust and the leaking of our tariff-dike. But let us continue our orator's profound remarks:

"Such a view is almost universal among well-informed business men. There is no longer a disposition courageously to enter upon new enterprises. Railways are curtailing expenditures. Bankers are inclined to exercise caution in extending accommodations. Most manufacturers and merchants are planning their fall campaign with much conservatism.

"That the period ahead of us is one in which commercial activities will be curtailed and manufacturers totals show a decrease, there is really little division of well-informed opinion."

There you have it again, your Honors, manufacturers' totals are to show a decrease; that is, *American manufacturers' totals*. Foreign manufacturers' totals will show an increase; but that is not "in the game." It is that fact which must be concealed. And so the wily plaintiff, the Importing Trust, trains its literary guns on our mental fortresses in any way that will shatter the tariff-dike most, and at the same time make a smoke that will conceal its own hand on the lanyard.

XVI

THE SYSTEMATIC IGNORING OF THE TARIFF-DIKE AS A
SOURCE OF AMERICAN PROSPERITY PROCEEDS
FROM BUT ONE SOURCE AND HAS BUT ONE OBJECT.

Your Honors, we cannot repeat too often our warning to you against the subtleties by which the wily plaintiff, the Importing Trust, carries on its great propaganda of public opinion against our client, American Production, and in favor of its own monopoly of our domestic market. We have given you a number of examples of its methods of bringing into contempt the great tariff-dike behind which and because of which our client lives and moves and has its being.

A distinct method by which the wily plaintiff, the Importing Trust, thrusts its pick and its crow-bar deep beneath the foundations of this defense to our national being is that by which its newspapers, authors, and orators, when seeking to account for our prosperity on the one hand and our adversity on the other, ignore the condition of the tariff-dike. You have not the time and we have not the breath to go into our budget of proofs of this method of assault employed by the wily plaintiff just named, proofs which we have gathered from a thousand sources; and we shall spare you and content ourselves by the analysis of a single remarkable case wherein the wily plaintiff, the Importing Trust, by the mouth of one of its most devoted servants, seeks to hide the only source whence prosperity beams upon our land and warms to quick action the great powers of this nation. To quote from an oration

delivered not so long ago by an orator well known as an advocate of the wily plaintiff, the Importing Trust:

“Men need training to become skillful. They must have variety of work if their outlook and technical skill are to have breadth. They must know something of principles, if they are to have original ideas of value. I believe that we have failed utterly to grasp the problem of the relation between education and our industrial development and prosperity.”

Please note, your Honors, that this speaker assumes that the only source of our national prosperity is foreign trade; for only on that assumption has this statement any force. The speaker ignores the fact that our domestic trade absorbs nearly 98% of our average total annual production. He, therefore, ignores our tariff-dike entirely as the source of prosperity; nay, as the source of our chance to live at all. You will observe that his key-note is *education*, which he assumes to be the one thing needful to help our artisans “capture the markets of the world.”

But back to our orator:

“Within the memory of most Americans there has been what amounts to nothing short of a revolution in industrial affairs. We have seen England lose much of her pre-eminence among the industrial nations.”

Please note again, your Honors, the course of this orator's reflections. England, he says, has lost much of her industrial “pre-eminence.” It is a notorious fact that she has lost it by tearing down her tariff-dike and exposing herself, a cost-50 country, to struggle for her own domestic market with goods from countries whose costs range from 30 down to 5, our own country at cost-100 being taken as the standard. And yet our orator would make you believe that it was want of education and not tariff-

dike protection against a foreign deluge which robbed England of industrial supremacy. But back again to our orator:

“We have seen two other nations grow from comparatively small beginnings to places of the first rank.”

These “two other nations,” your Honors, are Germany and the United States, both of which have erected high-tariff dikes and shut out a large part of the foreign deluge, on the principle that the domestic market which you have is worth twice as much as the domestic market which some other fellow has, and to gain which you must compete with all creation. And our author says that these two nations which have applied this common-sense maxim to their industrial affairs are those which, “from small beginnings,” have grown “to places of the first rank.” One would think that this curious coincidence would make our orator sit up and take notice. But he is not paid to think that way. He proceeds:

“I have indicated what I believe to be the principal elements upon which our own industrial success has been based.”

He had previously pointed out, your Honors, that the “principal elements upon which our own industrial success has been based” are “unexampled supplies of raw material” and “an unequalled genius for doing things on a great scale.” This alone would have marked our orator as a member of the Importing Trust, without going further into his deliverance. But back to our eloquent friend:

“But we have seen another nation [Germany] without the special advantages of raw material which we have enjoyed push forward in a development as rapid as ours, and wrest from others in competitive fields the advantage

they had long held in security. Germany has had the scantiest aid from nature to make that progress possible. Not only has she had no wealth of raw material such as we have had; she has had no vast homogeneous domestic market, a factor which has been of vital aid in building up our own manufactures. Her people have lacked the peculiar inventive ingenuity which has, in many fields of industry, been the sole basis for our achievements."

Your Honors, we believe it is a libel thus to write down the great German nation as a lot of mechanical idiots. Our own "peculiar inventive ingenuity" is German, as well as English, Irish, Scotch, French, Spanish, and all the rest. For we are all importations; and there is not a rivulet of the "inventive ingenuity" now bragged about by us which did not take its rise in the great European spring of intelligence. But let that pass and back again to our Importing Trust orator:

"Her [German] artisans have not possessed that delicate artistic sense."

Hifalutin, your Honors!

"which has made the handiwork of France superior to the obstructions of all tariff walls."

More hifalutin, your Honors!

"Her industries have been forced to grapple with English competitors who were intrenched behind a domination of international markets successfully maintained for generations."

Your Honors, we beg to call your attention to the well-known fact that for three hundred years England maintained an almost impassable tariff dike against the influx of manufactures in any wise competing with her own. During those three centuries her industries were so developed as to dwarf by comparison those of all other countries. She

had reached such momentum in her flight upward that it seemed as if she might forever defy the law of gravitation. Her capital was almost unlimited, an enormous amount of it being fixed in the best-equipped work-shops in the world, manned by the descendants of generations of artisans, who, in the operations of the factory, inherited the cunning of their forefathers. Her place seemed eternally secured. But in 1846 she tore down all her protecting dikes and her destruction began. Not even lordly England, easily the giant leader of the earth in manufacturing, proved superior to the law of economic gravitation expressed in the words:

“Capital desiring a given market for its output, must finally locate in the area of lowest cost of production for that market.”

Too powerful even for England was the fact that she was a cost-50 country, as we have before stated, while just across the channel were cost-30 and cost-25 countries, which sucked away her capital to build factories on the continent of Europe with which to put English industries out of business. The havoc wrought among British wage-producers beggars description. Industry after industry went into decay. Hundreds of thousands of her wage-producers starved slowly to death, their very blood and bones being coined for the coffers of her wealthy manufacturers who had repealed the Corn Laws. And the havoc is still going on. Her only hope lies in restoring her tariff-dikes, converting her gentlemen's shooting preserves, forests, and parks into corn-fields and cattle ranches, bringing back her farmers to her farms with the hope of life, and relieving the congestion of wage-producers at manufacturing centres until manufacturers are

forced to pay living wages to their workers. England's plight is so plain that a blind man can see it. And yet we have our orator laying England's loss of primacy to want of technical education! Your Honors, it is not education in anything but humanity to her wage-producers that England needs. Put good wages ahead of the English wage-producer, and he will take care of his own education and that of his children. It is in the breed. Our orator continues:

“But amidst a poverty of natural resources,”—

Bismarck built a high tariff-dike, our orator might say and account for the whole matter; but he is afflicted with Importing-Trust blindness and could not see a tariff-dike three feet away. He continues:

—“and from among a people not singularly gifted either with inventive ability or artistic temperament, we have seen emerge in a generation the great industrial forces of the German Empire. The time is within the memory of most of us when Germany was in large measure an agricultural state winning but meagre return from sterile acres. There were neither rich mines below ground nor exhaustless forests above. Whatever was done by the Germans had to be done in the sweat of their brows. Whatever they have accomplished we must admit fairly earned, for they have been heirs to few bounties of nature. I have made a somewhat careful study of Germany's economic success, and in doing that I have become firmly convinced that the explanation of the remarkable German progress is to be traced in the most direct manner to the German system of education. The schoolmaster is the great corner-stone of Germany's remarkable commercial and industrial progress. The school system of Germany bears a relation to the economic situation that is not met with in any other country.”

Your Honors, the source of this effusion is the heart of the Importing Trust, wily plaintiff herein. The orator who uttered these words did not believe them himself. For he is an intelligent man, and

we do not think that his brain-cells are so arranged as to make a cart couchant in front of a horse rampant his heraldry. But to lay to education Germany's "remarkable commercial and industrial progress" is merely to put the cart before the horse. The first tariff-dike as a bulwark to industry was made for Germany by Bismarck some time after the Franco-Prussian war of 1870. Our orator, just quoted, assures us that "the time is within the memory of most of us when Germany was in large measure an agricultural state winning but meager return from sterile acres." That was something like a generation ago, and before protection was adopted by Germany as a definite national policy. Whatever tariff existed before that time was only incidentally protective. But a consistent tariff-dike, by reserving to her own capital the German domestic trade, no sooner gave Germany a chance to market the fact that she was a cost-30 country, as against England's cost-50, than Germany ceased to be "in large measure an agricultural state winning but meagre return from sterile acres," and became a manufacturing state, the same one mentioned by our orator as having assisted to drive England down from her proud industrial primacy to the third rank. Now, your Honors, it seems to us that it is worse than silly to believe that education in already-educated Germany gave to German capital the certainty of getting back, mark for mark, and a little more, what it invested in manufactures for the German domestic market. Of what use would "technical education" have been to Germans who had no manufacturing industries in which to get back some return for the expense of becoming "technically" educated? If German technical education has put in an appearance, it is certain that

it appeared because the factories had appeared, and the factories were built with Germany's tariff-dike as a foundation.

Our orator, your Honors, says that we here owe our long step ahead to our "unexampled supplies of raw material" and "unequalled genius for doing things on a great scale," which he otherwise alludes to as "inventive genius." But we have no technical schools worthy of the name, or, at any rate, none that, for numbers and age, have had any effect whatever on the prosperity which set in strong for us at the date of the erection of the Dingley dike.

He says that Germany has neither raw material nor inventive genius to account for her industrial advance, but that she has a school system which bears a relation to the economic situation that is not met with in any other country, and that "the explanation of the remarkable German progress is to be traced in the most direct manner to the German system of education."

He also says "we have seen England lose much of her pre-eminence among industrial nations. We have seen two other nations grow from comparatively small beginnings to places of the first rank." But we all know that England has inventive genius, natural resources in her mines of coal and iron, and plentiful education.

Now, remembering that, as to comparative costs, we stand at cost-100, England at cost-50, and Germany at cost-30, let us gather all these facts into a table, in order that we may see whether the wily plaintiff, the Importing Trust, by the mouth of its servant, our orator, is talking rationally when, comparing England, Germany and the United States, it lays to "technical education" the differ-

ence between going ahead and behind. Here is the table :

Nation	Tariff Dike	Cost Number	Technical Education	Inventive Genius	Natural Resources	Movement
England	Revenue	50	Fair	Good	Important	Backward
Germany	Protective	30	Best	Poor	Meagre	Ahead
United States	Protective	100	Lacking	Best	"Unexampled"!	Ahead

Your Honors, we have printed and now hand you copies of this table. Please note that, with regard to the characteristics at the head of the columns, the whole three countries differ in cost, education, inventive genius and natural resources. We think even the wily plaintiff, the Importing Trust, will agree with us here. As to the remaining two points, England is directly opposed to Germany and the United States, upon these two points, and these alone, Germany and the United States standing together, and the table showing that, irrespective of cost, education, inventive genius, and natural resources, both of the countries which have protective-tariff dikes are going ahead, while England is going behind. Moreover, as to the four non-coinciding points, Germany differs more widely from the United States than from England; and yet Germany and the United States, having similar tariff-dikes, also stand the same with regard to progress. How a person whose brain-cells did not illustrate the cart before the horse could lay progress in Germany to "technical education," when "technical education" in Germany did not precede but followed her forward movement, and is lacking in the United States, the second of the two nations who have grown "from comparatively small beginnings

to places of the first rank," is a mystery which only the intelligence of an Importing-Trust orator could solve. Why would it not be more logical, your Honors, to attribute the progress of Germany and the United States to the characteristics in which they are similar, viz., the protective-tariff dike, than to a characteristic in which they are so dissimilar as that it is gloomily lacking in the one but radiantly present in the other?

We repeat, your Honors, that the making little of the tariff-dike as the bulwark of American prosperity has only one source, viz., the interest that would be most injured in pocket if our people all realized that our tariff-dike is our only hope against national annihilation; which interest, of course, is the wily plaintiff, the Importing Trust. But speeches, magazine articles, and newspaper editorials, all arising from one or the other of these wily plaintiffs, are busy throughout this country, doing just what was done by the orator whose words we have quoted; that is, hiding the Dingley Dike behind a veil of sophistry and fallacy. But something had to be done, your Honors. The Dingley Dike, in such sharp contrast with Cleveland free trade, was so plainly the rock upon which our prosperity was built, that the campaign of explanation was a necessity, if the wily plaintiffs were not to be destroyed by the sheer common sense of the people. In passing, we cannot help regretting, your Honors, that the brain-cells of the majority of our people are not so well ballasted that they cannot be paralyzed by every Importing Trust sophist who gets their ear.

XVII.

AND, AS SYSTEMATICALLY IGNORING A BROKEN TARIFF-DIKE AS THE SOURCE OF INCREASED IMPORTS, AND LAYING SUCH INCREASE TO OTHER CAUSES BEYOND THE REACH OF THE DIKE AS A REMEDY, THE WILY PLAINTIFF STILL SEEKS TO BLIND AMERICANS TO THEIR PERIL.

Your Honors, we have just shown you how the wily plaintiff, the Importing Trust, has tried to account, by "technical education," for Germany's success, denying that Germany to account therefor has inventive genius, natural resources or other things, and, as the real cause of her prosperity, wholly ignoring her high tariff-dike. Your Honors, it is as certain as anything can be that Germany's success comes from her tariff-dike and the keeping of her domestic market wherewith to induce her capitalists to promote domestic industry; and it is just as certain that neither "skill" nor "inventive genius" has had anything more to do with Germany's success than with that of any other nation, since "skill" and "inventive genius" are at least as universal as the reward therefor which always accompanies a well-protected domestic market. But as this wily plaintiff accounts for a bounding German export trade without seeing the high tariff-dike as the cause, so it also accounts for rising imports in the United States without seeing the holes in the American tariff-dike through which imports are rushing. The high tariff-dike in Germany and the low-tariff dike in the United States work together perfectly, through our increase in German exports, to drown out American goods from the

American domestic market, and yet the orator just quoted says Germany's prosperity comes from "technical education," not from its protected domestic market; and the Germans themselves say it is "German skill and faithfulness in manufacture," and not the hole in our dike which lets them into our market. In this way, your Honors, the conspirators against our national prosperity, they who are bent on taking from us the savings of a decade, in order to keep our ignorance for future profit, seek to blind us Americans to the cause of our weakness, on the one hand, and, on the other hand, the cause of the strength of our great protectionist adversary the Empire of Germany.

We have before alluded to the German agreement, whereby the Roosevelt Administration purchased misery for millions of our wage-earners by a compact which tore down our tariff-dike from one-fifth to one-half on German goods. This betrayal of our country is doing its hellish work. German goods are pouring in here as never before. The Germans have so far succeeded in destroying our tariff-dike by the Von Sternburg route that they are willing to remit their efforts for "tariff concessions"; but they are laying to their great "skill," not to our broken dike, the immense increase in their exports to this country.

Mr. Roosevelt is trying to ride at once two horses racing in opposite directions; but it is a very hard straddle. He wants to pose to our workers as a friend of "labor," as the "champeen trust-buster," and at the same time pose as a friend of Germany and of the New York importers. He wants to be all things to all men; to serve God and Mammon and to pray to both with the same breath. And the Germans are trying to help him fool the American peo-

ple; they are trying to make us think there is not so much of a hole in the dike after all; and that anyway we cannot build dikes high enough to keep out the results of German skill, and therefore might better not try. They say the Dingley Bill—even the Dingley Tariff, so high and imposing—“has proved a sieve, through which the torrent of German enterprise flows unchecked.” But it was German enterprise in “getting away” with the Roosevelt administration and no enterprise that Germans ever yet displayed in their mills and factories.

Your Honors, we propose reading to you from the Literary Digest of October 26, 1907, an invaluable publication of world-gossip most reliably reported. In this magazine, of the date above given, is the following:

**“A ROSY VIEW OF GERMANY’S TRADE WITH
AMERICA.**

“The German Government, having been unable to secure any tariff concessions from this country”—

except the German Agreement which is very nearly a total prostration of our entire tariff-dike towards Germany—

“is telling its people through the semi-official **CONTINENTAL CORRESPONDENCE** that German trade can win its own way without concessions from anybody.”

A sop for babies, your Honors. Does this German Government organ mean to say that we, for instance, could not totally shut out its goods, if we desired? But to continue:

“In its effort to gain tariff modifications from the United States the Berlin Government has been urged on by the German manufactures, who want our tariff bars lowered so they can sell more goods here.”

Why, your Honors, should they require the bars lowered to sell more goods here, when the German-Roosevelt Agreement has left as good as no bars at all for German goods? We think this sort of talk is for broad public consumption; for peddling through the United States to fool our people to think that the bars have not already been lowered, and that if the Germans come in here and take our domestic market away from us entirely, it will prove that no tariff bars can keep out the "skillful Germans"—skillful in back-door politics, your Honors. Therefore, the tariff bars being of no use to keep out these brilliant Teutons, we might as well resign ourselves to the fate the politico-economic gods have meted out to us, throw down the dike entirely and become colonists to the German Empire.

Why, your Honors, talk about the German War-Lord colonizing South America, to the menace of the Monroe Doctrine and our sovereign security here, bless your ingenuous hearts, he is colonizing these very United States with the fabrics of his factories, to the Teutonizing of us all to the shade to which the proximity of Herr Von Sternburg has already colored Herr Von Trust-Buster Roosevelt, like a Dutch meerschaum! But back to our Literary Digest:

"The German Agrarians second this effort with the suggestion that if we do not capitulate, Germany should retaliate by raising its own tariff bars against American products. This is just what it cannot very well do, however, for Germany must have our grain and meats, and to raise the tariff on these supplies, while enriching the Agrarian landowners, would be to raise the cost of living in Germany—and that is what makes Socialists. So the Government is letting well enough alone, and assuring the tariff complainants that they are doing splendidly"—

Splendidly, indeed, your Honors! Our dike has been smashed with a Dutch club and the Germans

have here, practically free, the greatest market in the world, which they can take from us as fast as they please, not because of their superior skill, your Honors, but because they are a cost-30 country and we are a cost-100 country.

—they are doing splendidly and don't need any help,"

Except, your Honors, a Roosevelt Administration at Washington and a Von Sternburg hob-nobbing with the President in the White House. But back to our Digest:

"And it is true that Germany is only second to Great Britain in her trade with us and is well in the lead of any other country."

And will keep in the lead, your Honors, and soon outstrip Great Britain in our markets here, for Great Britain is a cost-50 country against Germany's cost-30, and the biggest profit-margin is going to beat everything else. But to continue our reading:

"The tariff on imports into the United States imposed by law some ten years ago has not, according to **THE CONTINENTAL CORRESPONDENCE**, interfered in any way with the sale of German goods in the United States."

Then, your Honors, in the name of truth, why did the Germans threaten to double their tariffs against our goods and why did Mr. Roosevelt lie down and let them walk over him in the German Agreement? But, your Honors, we believe this talk is all for show—just to conceal the fact that the Germans have captured our markets by diplomacy. There is something so puzzling about all this contradictory business that we cannot quite reconcile ourselves to believe that this dark-lantern, stealthy

German Agreement was not made to the immense profit of somebody here in the United States. We have been sold out, your Honors. Our invaluable domestic market, the envy of the earth, has been sold out to the Germans for a solid *quid pro quo*. We cannot believe that Americans are such fools that they do not know the value in gold of such a large section of our market as was delivered to the Germans by this infamous Agreement. Who got the *quid pro quo*? And was it money, flattery, political popularity or poodles? It was something, your Honors, or else the American end of this deal was in the hands of unreasonable beings. Still to our Digest:

“This it considers the result of German skill and faithfulness in manufacture, and ‘Made in Germany,’ it thinks, is a guaranty that should control any market.”

And yet these same fellows, before the German Agreement was born, said if we did not aid German “skill” and “Made in Germany” by cutting down our dike, they would cut us out of their market for grains and meats, which is about all we sell them, except raw cotton. Back to the jewsharp.

Of the increase of the German importations into this country this organ remarks:

“In every respect the fiscal year ending in 1907 shows record figures. The value of German wares imported into the United States reached the amount of \$161,500,000, while Germany bought \$240,000,000 worth of American goods. That shows an excess of 50 per cent. on the side of Germany’s purchases and seems at the first glance very disadvantageous for the Fatherland. But we find that seven years ago this excess amounted to 90 per cent., and in 1898 even to 130 per cent. of Germany’s exports into the United States. In proportion at least the German balance of trade shows a considerable improvement. If we limit our attention to the increase in the last two years”—

Ah, your Honors, these bland Teutons should have

said, "in the last three months" or since our tariff-dike was crushed with the Roosevelt battering-ram! But, no, it is the fairy wand of German "skill and faithfulness in manufacture" that did the job. Sleep, my baby, sleep, 'tis not the cat lapping your milk that disturbs your dreams but the wing-rustle of the fairy "Skill!" This is all a beautiful lullaby, your Honors, written for the score "Benevolent Fairy," dedicated to the wily plaintiff, the Importing Trust. Here is more if it:

"If we limit our attention to the increase in the last two years, we find even absolutely the same figures. Germany got in 1907 American goods of \$43,000,000 value more than in 1905; and by the same amount of \$43,000,000 we find the German imports into the United States higher in 1907 than in 1905. Now, if we go into details, we notice that among the American goods imported into Germany cotton is principally responsible for the increase. On account of the large demand of the German spinning mills and the higher prices, the United States increased their sales of raw cotton to Germany within two years by not less than \$34,000,000, so that the cotton imported into Germany accounts for 80 per cent. of this very remarkable increase."

"When we come to ask the proportion between the exports and imports of the United States and Germany, this writer tells us that while German exports to the United States are less than those of the United States to Germany in regard to raw materials, the contrary is the case when we calculate the interchange of manufactured articles. America exported to Germany \$90,600,000 worth of such goods for the year ending 1907, but imported from Germany manufactured goods to the amount of \$147,000,000."

Yes, your Honors, the Germans get our meats and grains to feed their workers and underbid our factory hands in this market under the German Agreement. They take our raw cotton, to make into cotton fabrics which are sent back here to take our market from our own factories and bread from our own cotton workers. Our Sunny South is the natural field for all forms of cotton manufactures; and yet the German Agreement takes the work

from Southern mills and gives it to the Germans, and we pay the freight both ways. How the South can keep quiet under this outrage is a puzzle. This wily plaintiff, the Importing Trust, in order to fatten from its commissions on foreign goods, would keep us here forever as the coarse and codgerly makers of "raw materials" to send abroad for manufacture and return to us. This is evidently Rooseveltian philosophy. Still more from the digest:

"The writer accounts for this as follows: 'In knitted fabrics the well-known superiority of the German industry told all the more under the high import duties of the Dingley tariff' "

Oh, your Honors, this is too much! They were so afraid, were these benevolent Teutons, that they would take our whole market under the high tariffs which so made "the well-known superiority of the German industry tell all the more"—take all our market and starve us quite to death, that they begged and implored us to take down the tariff wall and take away their deadly advantage; and when we would not, as a nation, listen to their prayer, they got this wily plaintiff, the Importing Trust, through its lobby at the White House and its representatives in the Cabinet to go with cat-like stealth and in the dead of night and unlock our tariff-dike gates with the key of the German Agreement, just to save us, even against our childish wills, from the dire disaster which was surely awaiting us, unless we cut down the dike and cut off this dreadful advantage over our own factories which this high dike gave the Germans in our domestic market. Such devotion to humanity, even when it could be counted in a loss of many marks, was never witnessed before. Well, let us read this Teutonic philanthropist a little further:

“Indeed, against the American articles of ordinary use no other European industries could compete in this line; we therefore find that 90 per cent. of all imported knitted fabrics came from Germany. The same remark holds good with regard to toys and coal-tar colors. For leather gloves and furs the latest change of fashion favored the German importer, as the American firms could not produce enough for the suddenly increased demand”—

Oh, what a sinful falsehood, your Honors! “Could not produce enough for the suddenly increased demand?” Why, certainly not. If they had, this wily plaintiff, the Importing Trust, would not have won its commissions. That is the uniform reason, your Honors, why Americans cannot produce this or that thing fast enough. The meaning always is “fast enough to leave the profits of it in the hands of the Importing Trust.” If our client, American Production, were paying this wily plaintiff, the same, or a little better, commissions than are being paid to it by Foreign Production, we never would hear anything about being too slow or too unskillful or too anything else to supply our market here. But let us hear this mystifier out:

“Earthenware and porcelain would be imported in large quantities because the German manufacturers adapted their produce to the American taste that favors bright colors and fantastic patterns.”

Yes, your Honors, any way to account for their filching our markets here, except by the fact of their pitting their cost-30 against our cost-100 and by German Agreements bribing our sentinels, to let them pass our tariff line. Surely, we are South Sea Islanders, with rings in our noses and bells on our feet, fond “of bright colors and fantastic patterns,” if that will account for the Germans beating us in our own market and hide the hole in the tariff-dike. Still more prodigies from the German magicians:

“Paper and stationery were, in the last few years, exported from Germany at ridiculously low prices on account of a crisis in the trade”—

Which illustrates what we said some time back, your Honors. “Crises in trade” abroad and their consequent fire and bankrupt sales could drown out this market but for our tariff-dike; for there is enough of the world and enough of such sales going on all the time to supply us with all things at costs even far lower than the normal cost abroad. Our dike should be built to heaven instead of being cut down to hell for our workers. But let us go on with our reading:

“Cement was much in request on account of the San Francisco catastrophe and could not be immediately supplied by American manufacturers.”

Of course not, your Honors. There is always on hand an Importing-Trust jobber ready to rob our workers by any pretext at any short notice. No American enterprise is ever in such a real hurry that it should not be compelled to await the rising of American Production to the occasion. The welfare of those concerned in the development of the waiting enterprise is of no greater consequence than the uniform development of this whole nation. Reading again:

“The same may be said of cellulose, which in 1907 was exported from Germany into the United States to the amount of \$858,500 or twenty-one times as much as in 1899.

“In short, Germany, according to this writer, has been triumphant. All competitors, like ‘nauting time,’ ‘toil after her in vain,’ and the Dingley Bill has proved a sieve, through which the torrent of German enterprise flows unchecked. To quote the last paragraph of this arresting article:

“‘It is clear that in the interchange of merchandise other conditions, even of a transient nature, are far more important than the effect of a customs tariff.’”

Conditions, your Honors, of such "transient nature," for instance, as the sort of an Administration we have at Washington. A Roosevelt can discount the most effective tariff-dike in the world, and do it without even being suspected by the dear devoted people of being a rank free trader. We think our Teutonic friend is quite right. When you have at court a Von Sternburg joker in a Roosevelt pack, you can well say, "I care not who makes tariffs for the American people, so long as I own the Executive ear." But let us finish this triumph of mystification:

" 'The German manufacturers and exporters have succeeded so well by the intrinsic merits of their produce, the painstaking study of American wants and American tastes' "—

For gaudy colors and uncouth shapes, your Honors, our fellow savages!

—" 'and by the quick utilization of the proper means for finding customers on the other side of the Atlantic. The progress of American industries and the more severe competition of the exporting countries of Europe were the principal factors to be counted with. As a matter of fact the Dingley tariff did not prevent an extraordinary growth of the German exports into the United States during the last ten years.' "—

Your Honors, we quite agree with the Literary Digest that this is an "arresting article"; so arresting that it ought to arrest and throw in jail—a figurative jail, your Honors—any one in this country who not only does not root for tariff-dike revision downwards, but who does not root with all his might for such an immediate tariff-dike revision upwards as that the dike will be something more than a "sieve through which the torrent of German enterprise flows unchecked." The Dingley Law never was an

effective protection measure. That is proved by the tide of imports which has been rising ever since it was passed. According to Republican statements, it was only made high enough just to offset the advantage in cheaper labor held by foreign producers and give our own workers in their own market a mere equal chance with foreign workers. But since it was made, foreigners have been improving their machinery and methods, and, like the Germans, have been making special efforts to get into our market, with the result that the Dingley Dike was far too low, even before the Roosevelt Administration practically destroyed it by the German Agreement. The Germans now tell us, in the article just quoted that "the torrent of German enterprise flows unchecked" through the tariff dike, which has proven a "sieve"; that practically they have beaten down all opposition, even from our American industries, although they admit, now that the fight is over and they are in full possession of our market, that in the scrimmage which preceded their final victory, "the progress of American industries" was to be counted with to make their success more difficult. But they have succeeded, not because "protection does not protect," but because, in addition to our cost-100 market never having been half-way protected against a cost-20 world, we have been nightmared by an administration at the head of which is a man who knows nothing about true American business, who has taken his catechism from New York importers, who has filled his cabinet with free traders, who has flagellated Cuban Treaties through Congress, who has removed faithful custom house officers in order that the wily plaintiff, the Importing Trust, might have a freer hand, and, to crown all, has made a German Agreement which practically

destroys whatever real protection there ever was in the Dingley Dike.

The wily plaintiff the Importing Trust, has great hopes of success. It thinks in addition to the German Agreement, it will get a downward revision of the dike within a reasonable time. It feels that its campaign against our client, American Production, its maddening of the thoughtless people to a frenzy about the "trusts" and their sales abroad cheaper than at home, and all its wily ways, will soon bear a rich fruitage of commissions and brokerages, as it sits in our markets once more supreme mistress and monopolist there. But it knows that as surely as the sun continues to shine, it no sooner will get comfortably seated than the greatest panic the world has ever known in any country will shake this devoted land from end to end; and it has already begun to hedge against such an event; it already is devising means to say "This panic is none of my doing. Look! Was not the New York panic in October, 1907, the result of the Dingley Tariff? Did it not happen while the country was enjoying the highest protective tariff it ever knew? How can you charge me with this disaster, when such disasters come, protection or no protection? You cannot shake your gory locks at me. You cannot say I did it." It is laying the ground for this now, your Honors, for it has already started its chorus among the New York papers who owe to it their lives. Here is a hymn which chants to heaven the melodies of the Importing Trust:

"A PANIC COME HOME TO ROOST.

'People are beginning to write to the newspapers to ask if this is to be known as the 'Roosevelt' panic. That is comparatively unimportant. The certain and significant thing is that it will be known as a Republican and

high-tariff panic. Protest as Republicans may, they will be held responsible. And it will not only be poetic but political justice that they should be.

“Out of their own mouths the Republican party and the Dingleyites will stand condemned. * * * * *

“Whatever other effects the panic may have, it has at least dealt a death-blow to the tariff superstition. Perhaps in no other way could we have got rid of it. Hereafter, any man who uses the argument that you must not demand the abolition of tariff outrages, since, if you do, you will imperil prosperity, will be laughed at. The way is at last open to attack the question of protective duties in statesmanlike fashion, without having to face the abuse and prejudice and idolatrous ignorance which have for years made it difficult to deal with the tariff like rational men.”

Well, your Honors, at the risk of being laughed at, at least by this creature of the wily plaintiff, the Importing Trust, which has owned it for over a hundred years, we are going to say that the whole prosperity of this country depends entirely on “tariff outrages,” if that expression suits the gentleman who wrote this editorial. We say this with the perfect knowledge that nobody in this or any other country can successfully contradict us. We say this because, if any one has a grain of common business sense, he knows that a cost-100 country cannot do business in competition with a cost-20 world. The business-volume, and, therefore, the prosperity-volume depends, as we have said before, on the wage-volume, and the wage-volume here would dwindle towards zero the moment our domestic market, a cost and wage-100 market, your Honors, were opened to competition with the cost and wage-20 world. This is too plain for any talk. Therefore, we repeat that, not only will an “abolition of tariff outrages” “imperil prosperity,” but it will destroy this country as a civilized proposition. Any business man, not living by Importing-Trust commissions, not only knows this, but

will say so even at the risk of being laughed at by some Importing-Trust donkey.

And we are going to repeat, your Honors, that no real panic ever struck this country, while a good tariff-dike kept production and value-making at the front in this country. We have had dikes like the Dingley Dike, which only half did their business; so that, in time, the thing became so leaky that our producers were put out of the market; and then, when panics and depression came on, the Importing Trust was privileged to say, as in the present case, that the "tariff outrage" had caused the panic. The October panic in New York, to which this writer refers, was not a real business panic at all; it was not a material panic; nobody failed; the banks all stood pat. It was a Christian Science panic, all in your mind, your Honors, all in the thinking so. A lot of copper securities, worth but a fraction of what they were puffed up to be, were taken by a great bank as collateral to loans. Somebody found it out—we believe it was the New York Clearing House—and "peached." Then everybody thought that every other bank was just as bad; and so everybody ran for his money and made a "run" on some half dozen banks. Why, your Honors, that was no more a national, business and property-panic, closing mills, throwing millions out of employment, filling the land with starvation, and making soup-houses the only real thing, than, when somebody hollers fire when there is no fire, a panic in a theatre somewhere in a little city, is a panic in all the theatres of the United States. And yet this rather over-zealous servant of the wily plaintiff holds it up as a real panic and says protec-

tion, which we have not got, is the reason of it,—just hollers “fire” when there is no fire.

If we are tired of prosperity at any time, your Honors, we have only to open our wage-100 market to the wage-20 world and our demand will be landed all over creation rather than in our mills, and prosperity will be no more and panic will claim us as its own. Then if we want to turn panic out and get prosperity back again, all we shall have to do is to close our ports, and turn our one-hundred-and-seventy-thousand-million dollar business demand over our own wheel of industry again and the same old mill will grind out prosperity once more as sure as fate and as fine as a fiddle. There is no mystery about this. No Christian Science in the whole rig. It is just plain business. We are not prosperous because we *feel so*; but we are prosperous because we *are so*; and that consists in getting back a dollar and five cents for our outlay of a dollar, which is a thing we never can do when, in the same market, the cost-20 world is bidding against us and our cost-100 product.

But as to whether the Christian Science flurry in and about Wall Street in October last was a “Roosevelt” panic we cannot quite say. The state of the public mind had something to do with the effect that the public announcement of banking rottenness had upon bank depositors. It is strange, surely, that people should think all the banks were rotten because one was; any more than they should think all men are bad because occasionally or semi-occasionally a man goes wrong. But it may be that Mr. Roosevelt’s ravings against “malefactors of great wealth,” “swollen fortunes,” “very rich men,” and the “bad

corporations," in some way made thoughtless people count all banks and moneyed institutions as being tarred with the same stick; so that when it seemed as if the rottenness had reached the banks, it set a lot of people skeery. That is all there was of the panic which, according to the Importing Trust parrot from which we have just quoted, proves the tariff-dike a failure. There was some Roosevelt in it, no doubt. The public mind was ready to suspect all sorts of trouble, because its Chief Magistrate had gone batty on the same subject. And what he said about it had more influence, because it was more advertised.

But, your Honors, we somehow think people take Mr. Roosevelt altogether too seriously. He is a great show. A good deal of an actor. When he is sober he does not more than half believe himself what he says so earnestly under the demi-divine afflatus. But he is a good self-hypnotizer, a self-suggester into all sorts of situations and moods. He has a very large talent for imitation—Mr. Bryan says he imitated him—and only moderate talent for sticking to a thing; and when he has the "power" he naturally thinks he is the man or mood he is unconsciously imitating. But he soon switches off on to a sidetrack somewhere, blows off steam, draws his fires; and goes to sleep. When he wakes up, he is ashamed of himself because he thinks he has let up a little on "my policies" and he clambers on to the nearest platform car in the train and says he has not forgot, even if some malefactors of great wealth, just to discredit him, have conspired to bring on money-trouble in Wall Street. Then, too, besides being a great mimic of manly moods and an all-round self-fooler, he likes praise, that is, to be tickled

because he is so good. His love of praise is very strong; and in addition to this we have in our Hero a weakness in reasoning power and a not too over-grown benevolence, linked to great love of blood-letting. Why your Honors, he gets so thirsty for blood that when malefactors of great wealth have all reached the tall timber, he has to cut off into the swamps and hunt deer and bear and other innocent things; unless, perhaps, he runs across a herd of Mississippi pilots on his way afield.

We think, your Honors, a study of these few and simple characteristics pretty well accounts for Mr. Roosevelt. He does love praise so much that, if he should stay President long enough and exchange all he now has left to swap for a tickling, namely, the rest of our markets, for such a tipsy titillation as those which coaxed from him the Cuban Treaty, Wakeman's dismissal, and the German agreement, he would be the unhappiest man in the world. Then, your Honors, he is an impetuous thing. This taken in connection with his love of the lime-light and his weak benevolence makes him a good deal of a savage. Look at the way he publicly jumped on poor innocent old Tyner and pushed him into his grave! And how he dismissed from the service a whole battalion of colored boys without any proof of guilt against any one of them! And then the way he whirled down on poor Nicholls, the pilot of the Hartwig, was something scandalous. And in this matter, too, his action carried him right up to if not across the impeachment line. He could not remove Nicholls, but he could remove the men who could remove Nicholls if they refused to remove Nicholls. And he made them do it, illegally, too; for the steamboat inspectors had no right to remove the pilot unless he was

proven guilty of a breach of the rules; and they not only could not prove he had been so guilty but it was proved to them by a cloud of expert witnesses that he had not. Nevertheless, this Apostle of the Square Deal himself condemned and executed this poor man on the spot, without judge or jury, when the law provides that no such pilot can be dismissed except after his day in court and the proving that he has broken the rules. If anything much worse than this was ever done by Nero, we have failed to note it. Your Honors, we do not know what Mr. Roosevelt calls himself when he does such things as that, but when we use our power to remove a steamboat inspector to make him remove an innocent pilot, whom the steamboat inspector has no cause to remove, and all because in some way said pilot has ruffled our imperial dignity, we call ourselves an undesirable citizen. This sort of conduct is hardly moral.

But is not Mr. Roosevelt moral? Yes; but his morality is all under heavy bonds to love of praise, love of a scrap and "my policies." Your Honors, that single case of the Pilot Nicholls, to say nothing about the Brownsville matter, our venerable friend Tyner, Dr. Long, and the rest, proves to us that we are right in saying that Mr. Roosevelt is a natural actor, an impersonator of moods and manners, and that really his "square deal" sentiment is for political use only. We do not ask his pardon for this opinion and this expression of it. He has convicted himself. The Constitution guarantees to us all "the equal protection of the laws;" and Mr. Roosevelt, as President, is charged to "take care that the laws be faithfully executed;" that is, laws pertaining to the Government of the United States; and yet, instead of

seeing that the United States law governing the misdemeanors of pilots was "faithfully executed," he took especial care to see that, by the breaking of the laws for his personal spite, they were violated and a pilot irretrievably wronged.

The American people are indulgent towards the unspanked, roistering boy. They smile at pranks of his which they would jail a full-grown for. Whether as a sophomore in college he hazes the freshmen in their dormitories or as a freshman in the White House he hazes the seniors on Capital Hill, it is all the same. Boys will be boys, and the unspanked boy, the *bous en polei*, is the favorite of the dear America public.

People should mind their eyes as well as their hasty hearts. A study of the Roosevelt physiognomy is worth while. If the wolf and the bear are the strongest in us, we admire the same quadrupeds in others. A study of the outside tells us what there is inside; for people are as handsome or as homely on the inside as they are on the out. Hero-worship is dangerous; unless the hero is dead or out of office. It paralyzes common sense and puts blinders over eyes that otherwise could see.

It does not seem to us, your Honors, that a man of this mold and make should very seriously influence the public mind. He has shown a very large lack of just appreciation of his true position as President of the United States. He had been a Governor of a State and when he became President did not seem to think there was any change of jurisdiction. As he would have recommended to a State Legislature laws governing corporations, so he recommended to the Congress of the United States laws governing corporations, al-

though the Constitution gives Congress no power to monkey with State citizenship in this way. For, of course, every corporation is a citizen of the State of its organization; and although another State may make rules for the admission of foreign corporations to denizenship within the State, the Congress of the United States has no power whatever to dictate terms to corporations more than to individuals. It has no right to look into the organization, stock issue, property-holding, or any other matter connected either with an individual person or a corporation within a State. Mr. Roosevelt says that some general national law should place corporations under the supervision of the general Government, in the same manner as the national banks are so placed. But Mr. Roosevelt seems to overlook the fact that the national banks are the creation of Congress originally; and that we may have State banks over which Congress has no control. Congress alone has power "to coin money and regulate the value thereof," and "to borrow money on the credit of the United States;" and these functions have a peculiar connection with the subject of banking, and to create and oversee a series of national banks might well be within the "general welfare" provision of the Constitution, specifically in view of the exclusive power of Congress over coinage and so over currency. But the "general welfare" clause is void for indefiniteness except when given definiteness in matters specifically indicated in subsequent clauses; and the interstate commerce clause or the post-roads clause cannot be construed in any wise so as to give Congress the power of going into a State and regulating the affairs of corporations. As we shall elsewhere argue, the

power of Congress to "regulate commerce" is only power *in rem*; and, to use that power to block the interstate traffic of a corporation, unless it showed up its books and admitted Federal officers to hold inquest over its private methods, would be a species of blackmail to stoop to which would put Congress on the level of the official who jammed the Cuban Treaty through Congress by holding over Congressmen the power of destroying their hold on their constituencies, by special press-agency treatment and the appointing power.

But the strongest reason why the public should not take Mr. Roosevelt too seriously is that to get the public to take him too seriously is part of his trade; and in order to get the public into this frame of mind, he knows there is nothing like judicious advertising—taking the public into his confidence, except in making Roosevelt-Sternburg-Wilhelm-Second trade agreements, in which the public are the most interested but the least "let on." In short Mr. Roosevelt is a politician of politicians. It is said by some that he is the keenest politician in the United States; and the United States grows some pretty good politicians. But then Mr. Roosevelt has had oceans of experience. He has been pulling political wires ever since he got out of Knickerbockers. Most of us remember how he ran for mayor of New York something like twenty years ago—we believe he was not thirty at the time; and it takes a good deal of political skill to get put on a big party's ticket for mayor of such a place as New York. And ever since his Knickerbocker days he has always been a candidate for some kind of an office. He pursues politics as he does bears. He loves the excitement of the chase. Now, we believe Mr.

Roosevelt is no more human than the rest of us—and no less. And when the rest of us live by politics, we sometimes have to do things we would hardly have the nerve to consult our Heavenly Father about before doing; and we do not believe Mr. Roosevelt is any better than we are. For instance, we do not believe Mr. Roosevelt consulted the Throne of Grace before, in a “practical” sense, asking Mr. Harriman for that \$250,000 to help out the Republican campaign in New York, just before election day, when there were no more expenses for torch-light processions, public halls, public speakers and public booze. We do not know the very reason why Mr. Roosevelt asked Mr. Harriman for the money or anything about it or why he intimated that it was a “practical” proposition but we do not believe he wanted it spent to carry the true gospel to the East Side slums. Again, we do not believe he sought divine guidance when he wrote the letter to a friend saying that a bright idea had struck him, or words to that effect; and that he thought it might pan out in popularity to take a crack at the corporations, “swollen fortunes,” or something of the kind. We have forgotten the exact language, but it was going the rounds of the press sometime ago and those interested can look it up. Now, in all this, your Honors, Mr. Roosevelt has seemed to us like a very human sort of a politician. Even his thirst for the blood of “malefactors of great wealth” and “bad corporations” is only the ordinary political thirst for a campaign issue. He is arranging his political samples in his political shop-window and asking the public to purchase. If he has a bargain sale of dead “bad corporations” and dead “malefactors of great wealth” and the public are

interested in that sort of goods, why, he will drive a thriving political business; but if they get tired of that line of goods, he will sit down, like any other shopkeeper, and think up a new line. He had just thought up a new line when he wrote to the friend the letter alluded to. People should get it out of their heads that Mr. Roosevelt is more of a saint or more of a sinner than any other human being. If we were in his business, we would do as he does—that is the most human of us; we would study out the thing the public wanted most, and the public would get it. Now as to this pursuit of “very rich men,” “swollen fortunes,” etc., it is simply a matter of politics. It is always right with *oi poloi* to curse out wealth. And it is just as popular to discover that Dishonesty is running away with the country. But people are the same, yesterday, today, and forever.. The rich have we always with us; and the dishonest grow on every bush. They are no strangers. It is just as bad a speculation to be rich or to be dishonest now as it ever was, and no worse. But if Mr. Roosevelt, in his function of office-seeker and all-round politician, can make the public believe that it was never risky either to be rich or to be dishonest until he came to town and that that has always been just what ails us; and that no rich or dishonest man was ever caught in the act until Mr. Roosevelt broke into the Presidency, why, your Honors, the gudgeons he thus catches are the reward of his angling, and who is kicking? But we do not see how the public can forget that the woods are full of hunters for Malefactors of Great Wealth and for Dishonesty, and that all you have to do is to pay your money and take your choice. Let us

understand that it is now and always has been only the common game of politicians to get after the rich and the dishonest, although it is a toss-up whether it is a case for politicians or the Pinkertons, with the chances of a cleaner game on the side of the latter. Do we not all know how softly sweet sounds the tinkling of the word "reform?" And what is that but a calling back to Poverty, Chastity, Honesty, and the public crib? Is there anything that reaches the public ear more quickly than the story that you have tried to save the dear public's dollars by catching the thief or making a rich man pay double taxes?

Now would not any politician, Mr. Roosevelt or any other, naturally work the old vein as far as it would go? Well, that is just what he has been doing all along, no disgrace to him. For it is his trade; his business; and we ought not to make a demi-god or a great hero out of him for doing what all other politicians always have done and for the same purpose. The only difference between Mr. Roosevelt and some others is that he "takes the public into his confidence" somewhat more generously—*whenever it suits him*. For it does not always suit him; and that fact proves that he is a politician pure and simple and does everything for his own success and only incidentally for the good of the public. He makes a loud cry when he runs down the Standard Oil Company that can bring no fish to his political net, unless he kills it and holds up its gory scales to the public; but he does not even whisper to the highly interested public what he is doing by way of a German Agreement, even when it is going to break up the business of thousands of our people and bring actual starvation to large numbers.

He has his own reasons for being frank in the one case and the reverse in the other. He merely treats the public as a good thing to "work" in any way it pans out most. The people like to be flattered by being taken into the confidence of the President; and they are lazy enough to like to believe that at last a man has been found who will "stand without hitching" and attend to the public business and let them nap. And, in this everlasting battle of wits, Mr. Roosevelt is entitled to let them, if they will, fool themselves into thinking he is but little lower than the angels; and he has been shrewd enough to understand human nature in these matters and to profit by it. But he is no saint, no superman, no demi-god. He is just a man, like the rest of us; and none of us is yet suffering from cutting wings and the prick of the celestial pin-feathers.

But there is one thing that puzzles us amazingly and that is how the people could so soon have been fooled into thinking an ordinary strenuous politician with a press-agency was the real thing, when he stepped out of an accidental vice-presidency into the shoes of the benign and refined McKinley. With such a pattern for comparison, it beats our time how the public failed to see the difference between a real statesman, fully worthy to sit in the seat of Washington, Lincoln and Grant, and a politician pure and simple. Mr. McKinley never raved up and down the land denouncing "very rich men" or "malefactors of great wealth" or made capital of his purpose to "control monopolies" or "supervise great wealth in business, especially in corporate form." Probably Mr. McKinley knew he could not do any of these things and to pretend that he could, when he knew he

could not deliver the goods, even to raise an altar for incense-burning to himself, was far beneath a gentleman and a statesman of the McKinley type. But then Mr. McKinley was not a politician. But we repeat that what gets our wind is the fact that these two types, each perfect in itself, the perfect statesman and gentleman, and the perfect politician and trust-buster, should have stood off against each other in such strong relief and the public should not have noticed the difference between them. That Mr. Roosevelt can make capital by saying he is going to do things that can't be done under our Constitution puts us in a dilemma: We must either believe he is so ignorant that he does not know he can't do these things, or that he is so much of a politician that he does not care whether he can or not as long as he gets the glory which, for making the attempt, the ignorant will cover him with.

Whatever is said or thought about Mr. Roosevelt, there is one thing certain and that is he is a thorough success as a politician. He knows human nature from the ground up. He knows how to play on the fanaticism, the ignorance and the blind devotion of the multitude; and how to make the hopes and the fears of his fellow politicians bring him the largest crop of points in the political game. For, whatever they think of him, however much they hate him for his strenuous handling of their private rights, and however much they curse him in private, they follow him in public like little lambs. There is no doubt but what Mr. Roosevelt has this influence by what some would call an unscrupulous use of the incidental power of his position as President; the power which his prestige as the highest Govern-

ment official gives him, in the first instance, and, in the second, the actual power to use his governmental attributes to reward or punish those who either do or do not sit into his personal game. Of course, this conduct of his, pure Jacksonian as it is, is not only unjust but very much to be blamed from every point of view. And that he uses power in this way is pretty well attested by the fact that there are more people in Washington this moment who have had their sacred sense of justice wounded by some freak of Mr. Roosevelt's than would be necessary, if all the facts were known and understood, to destroy forever the meteoric popularity which he now enjoys. And yet nobody dares speak; not because anybody is afraid of Mr. Roosevelt personally—there are thousands of as good men physically and mentally in every city of any size—but because of this fortuitous power with which the Presidency has clothed him and with which he can do almost mortal harm to those who offend him. This is so much so that during the last presidential campaign, when the country seemed aflame with enthusiasm for Mr. Roosevelt, it was freely said in Washington, and among the politicians of the Republican party, that Mr. Roosevelt was a man for whom everybody was shouting and whom nobody wanted.

Now, your Honors, we have loyally accounted for Mr. Roosevelt's onslaught upon "monopolies," "great wealth in business, especially in corporate form," etc., etc., on the ground that Mr. Roosevelt is a simple and innocent politician, like all the rest of us in politics, just working an old, old vein for all it is worth; just doing as old Andy Jackson did, when he clomb all over the banks and generally set

the poor against the rich and basked in the lime-light of *sans culotte* popularity. But there is another version of the matter from which we shrink with horror, considering our paternal interest in the President. There are those who see in Mr. Roosevelt more than the ordinary politician in the political sense. They see in him a politician with dreams far beyond those of avarice, mounting to the shining heights of despotic power, with the Lord only knows what a cloud-capped Olympian throne at the top. These people say that it is not merely to get the *sans culotte* and the petroleum fiends on his side that causes him so fiercely to go for "malefactors of great wealth" and shut his eyes to our real criminal class of the city slums. They say that he should logically begin with the city slums in his reformation of the country's morals by butting into State affairs; because the slums give no bonds for good behavior in the shape of "great wealth," which keeps its criminal owners anchored and reachable at any time, but the slums are flying light for property and may take the next steamer to Europe, beyond the reach of the arrows of our presidential Long Bow; it is not alone for the voices and votes of populist human souls—although these are good property—which makes Mr. Roosevelt "play to the galleries" and jam futile laws through Congress aimed at "great wealth in business, especially in corporate form," but that he really wishes to destroy the only force, viz., conservative wealth in harmonious movement, which stands in the way of his vaulting ambitions. He wishes to dissolve our Standard Oil Companies, put all our railroads in terror of his power and make them his allies, and then go onward and upward, ever upward to the

dizziest heights of fame ever reached by mortal foot.

That is what some think. Others think this:

It is true that there is no limit to Mr. Roosevelt's ambition. And there seems no limit to the elasticity of his conscience when ambition is speeding his red-devil car. There is some plausibility, at least, in this belief that Mr. Roosevelt hates conservative wealth, both because it offends his dignity and pride to feel that conservative wealth is even greater than he, the lionized hero of the populace, and because it stands in his way to greater things. Mr. Roosevelt is a man of but moderate fortune himself. He feels that he is Heaven's own son in his Titanic popular role of the all-saver of his country's morals and that politics are only means to a Heaven-favored end. Therefore, away with everything that makes against him—away with "malefactors of great wealth"; away with the Supreme Court; away with the Constitution! What are these but worn-out tools of righteousness? And is not righteousness the great aim of government?

Piqued pride at the thought that he is not quite supreme, and the hope of writing "my policies" large on American history, may well explain Mr. Roosevelt's unceasing pursuit of "great wealth." Wealth is congealed conservatism. It cannot mix with Rooseveltism. Therefore, out on the whole horrid heap of it!

That there is a deep feeling among our most thoughtful citizens that Rooseveltism is all wrong crops out every now and then, in spite of the terrorism which a terrorized press causes to paralyze protesting tongues. And some time ago, at New Haven, Connecticut, at the annual banquet of the New Haven Economics Club, Mr. John W. Alling had

his frank say. Mr. Alling is one of the foremost lawyers in Connecticut; president of the New Haven County Bar Association; president of a fire insurance company; a director in several banks; and president of the club above named. He said this:

“ ‘My policy,’ not necessarily that of the Republican party, but ‘my policy,’ for the carrying out of which ‘I am pledged during my term and shall see to it that my successor shall be a President who will also carry it out,’ is that the Federal Government shall have and exercise the power to control, regulate and restrain large business wealth engaged in interstate commerce.

“ ‘President Roosevelt is alone responsible for raising the railroad rate question. It was not a plank in the Republican platform. In the Senate it did not command a majority of the Republicans. In the Senate committee the Republicans and Democrats combined against it, and this Rooseveltian measure was intrusted to a Democrat, Senator Tillman. The overwhelming popularity of President Roosevelt jammed it through.’ ”

Here Mr. Alling is not quite correct. What jammed it through was the fear of Mr. Roosevelt's press-agency which overawed Congressmen. We shall explain this press-agency later. Mr. Roosevelt's popularity is largely an artificial product of this press-agency. We read further:

“ ‘Now what has been the result? From the instant it appeared likely that the power to fix rates was to be taken from the railroads and put into the hands of commissioners in the interest of the shippers, commissioners every one of whom could be removed at once by Mr. Roosevelt,’ ”—

Could Mr. Roosevelt have removed Judge Landis, your Honors, if Judge Landis had failed to “soak” the Standard Oil Company?

“ ‘every one of whom could be removed at once by Mr. Roosevelt, the value of railroad properties began to decline and their credit to disappear. Railroads are obliged to stop improvements. Their power to raise the neces-

sary capital has vanished. The havoc wrought by this Roosevelt crusade against railroad capital runs up into the billions of dollars. It affects hundreds of thousands of individuals, every savings bank, every benefit society, every fire or life insurance company, and through these sources the whole community, and this so-called statesman, President Roosevelt, not content with the havoc already wrought, is determined that Congress shall further regulate, control, and restrain railroads.

“President Roosevelt has shown himself bitterly hostile to large corporate wealth. His aim has been to break it up.”

Because he hates what is bigger than he is, your Honors? Because it blocks the road to his ambition's goal, your Honors? Or because, when he has busted its bronco back, he hopes to hitch it all to his chariot?

“His aim has been to break it up. He has disdained all party policy in his grand, lofty way. It has always been ‘my policy.’ The constitution has not stood in his way.

“This is not the statesmanship of a constitutional President. It is a revolution and a substitution of absolutism under a Presidential monarchy.”

“President Roosevelt has assumed that he is the United States Government. It is true he is immensely popular with the masses.”

The poor, unsuspecting masses, your Honors, who little know how they have been “worked” by the White House press-agency and the *Cuckoo Melodens Roosevelti*!

“It is true he is immensely popular with the masses. So were the leaders of the old crusades against the unspeakable Turk. They did not do much harm to the Turk but they wrought untold misery on their blind followers. Mr. Roosevelt is essentially like those old crusade leaders, powerful, arrogant, conceited, with a halo of Heavenly inspiration, a born leader bound by no party ties, himself the whole thing in search of valiant deeds”—

Your Honors, Mr. Alling puts Mr. Roosevelt on a more dangerous footing than we have dared to do. It is lofty heroics which hurry Mr. Roosevelt on his

intrepid way, and not sordid politics. But we will not take issue with Mr. Alling. He may be right after all.

—“himself the whole thing in search of valiant deeds, claiming a supernatural power to detect and uncover and punish the wealthy malefactor, followed, as he thinks, by the whole people.

“He is the most dangerous force to constitutional liberty that has ever existed in this country.”

These be hard words, your Honors, but has not Mr. Roosevelt brought them on himself?

“He is the most dangerous force to constitutional liberty that has ever existed in this country. He has taken the press by the nape of the neck and to a great extent forced it to do his bidding.”

All too true, your Honors. And we admit that this is really a dangerous feature of the situation. The power of the press is almighty. And when a man chains the press to his obedient service, he comes pretty near being a troublesome proposition.

“He has taken the press by the nape of the neck and to a great extent forced it to do his bidding.

“Notoriously, President Roosevelt does not respect the independence of the judiciary”—

Too true, again, your Honors any more than he respects the independence of our law-makers in Congress. He terrorizes Congress as he terrorizes the newspapers, and plots against the independence of the judiciary. Oh, Catiline!

“President Roosevelt does not respect the independence of the judiciary. In the great New York Circuit two of the three Judges of the Circuit Court of Appeals are of his appointment. His Attorney-General, a man after his own heart, was by him appointed to the Supreme Court of the United States. In the great circuit which embraces Chicago, his District Attorney, Bethen, and Judge Kenesaw Mountain Landis are Rooseveltian. There is no accident in these appointments.”

Your Honors, this, at least, is very interesting if true. Is it possible that Mr. Roosevelt appointed Kenesaw Mountain Landis, a professional politician and devoted Roosevelt retainer, judge in that circuit for the express purpose of slaughtering the Standard Oil Company? Judge Landis's rulings were the astonishment of the judicial world, in that great case against the Standard Oil Company; and his sending for all the books of the company and finding out how much money it had and fixing the size of the fine accordingly "staggered humanity" — that is, judicial humanity. Was it that Mr. Roosevelt might have an obedient servant on the United States bench, up against whom, by preconcert, the poor old Standard Oil Company could be pushed to its certain condemnation and spoliation, that Mr. Landis was elevated from the ward politician to the Federal judiciary? These be questions which surely give us pause. And then, when you think of it, it seems a considerably more than barely possible that this is true. The case against the Standard Oil was not a rebate case. There had been no violation of anti-rebate legislation, and no such violation was charged. The question was merely as to the legality of a freight-rate. Judge Landis, as if bent on carrying out a conspiracy to find the company guilty in any event, to increase Mr. Roosevelt's popularity with the mob, would admit no proof that the six-cent rate had been filed by the Chicago & Eastern Illinois, and was therefore a "legal rate"; that linseed oil, for instance, was carried at eight cents, and other bulky commodities as low as five cents; but, on the contrary, insisted that eighteen cents was the only legal rate for oil, when no one had ever paid it, and when it

was authoritatively sworn that it did not apply to oil. Moreover, Judge Landis refused to consider the fact that the rate on oil between Chicago and East St. Louis had been six cents per hundred pounds for fourteen years, or from 1891 to 1905, which was an open published rate known to every one concerned in the shipment of oil and generally known in all railroad circles in Chicago. Both Chicago and East St. Louis being in Illinois, the railroad company was under no legal obligation to file this rate with the Interstate Commerce Commission at Washington; but Whiting, being in Indiana, shipments from Whiting to East St. Louis were, technically, interstate, and the Alton Railroad filed with the Interstate Commerce Commission an "application sheet" applying to Whiting the Chicago rate, and in doing so thought the filing of the application sheet all that was required by law. All these little towns about Chicago have, for thirty years, been given the same rate as Chicago; and Whiting was practically a Chicago suburb. Furthermore, the Standard Oil Company was advised by the Rate Clerk of the Chicago & Alton that the six-cent rate, held criminal as against the Standard Oil, had been legalized by filing with the Interstate Commerce Commission. Still further, besides the Chicago & Alton, there were two other railroads over which the Standard Oil was shipping oil at the six-cent rate, legalized by regular filing with the Interstate Commerce Commission, one of these railroads being the Chicago & Eastern Illinois and the other the Burlington; therefore the defendant company had no reason, for its own gain or for overreaching competitors, for sending oil at all by the Alton route. All these facts were known to Judge Landis, yet he went forward and "soaked" the

Standard Oil in a fine of \$29,240,000! This looks very much as if the conviction of the Standard Oil Company was foreordained, to help Mr. Roosevelt "make good" to the rabble; and as if Judge Landis had been appointed to the bench to do just that job. Other things still make it look very dark for the President, and seem to establish the fact of a conspiracy to destroy the Standard Oil, irrespective of the merits of the case. The principal of these facts are connected with the opportune publication by Commissioner Smith of the Bureau of Corporations of his reports as to Pipe Lines and Petroleum Prices and Profits, the latter of which, as if to fire the public fury at the exorbitant profits alleged to be earned by the Company, and to justify the enormous fine imposed by Judge Landis, was timed to appear and did appear only two days after the publication of the Landis fine.

Your Honors, this is a very serious business, indeed. When you take into consideration the previous destruction of the freedom of the press by the White House Cuckoo Regime; the strangling of freedom of speech in Congress, also by White House pressure; this later public pillorying and prosecution as an object lesson, before a Roosevelt appointee who scorned every proof of innocence offered, of the greatest corporation in this country; the subsequent further pursuit of this same corporation, bombarded by destructive Federal reports opportunely published, into the Circuit Court for the Southern District of New York, whose action will be reviewable by a Federal Circuit Court of Appeals, two-thirds of the Judges in which are Roosevelt appointees—when all these things in close sequence are taken into consideration, it certainly looks as if our judicial dice were loaded and

that no one but the loyal vassals of Mr. Roosevelt need apply for justice in any court controlled by him; and as if there were a well-digested conspiracy at work to Roosevelt-revolutionize the whole country to satisfy Mr. Roosevelt's ulterior purposes. And what can these purposes be, your Honors? We are sure, your Honors, that the people of this country can be depended upon to right their boat after the gale. Conservative wealth, in which all share, must at last out-wind Roosevelt Populism. For Mr. Roosevelt is a populist in all his ways—a boss populist, not an ordinary, rank-and-file, foul-bearded populist. If you don't think so, just listen to the Kansas populists, now calling themselves "Republicans," as they rattle the roof with their hand-clappings at Mr. Roosevelt's prowess against property. It is really very remindful of these very Populists and their antics in 1896. But the good sense of the people will at last down Populism now as it did in 1896. In the meantime, however, who shall say what bees of ambition may not be buzzing in Mr. Roosevelt's bonnet. All these populists want Mr. Roosevelt for a third term. It is true he waves back the crown, and says he will have none of it; but, protesting, he doth protest too much. Thrice did Cæsar, protesting, wave back the crown. Is it not rational, your Honors, to suppose that a man who has had a head long enough to muzzle Congress, muzzle the press, and muzzle or "pack" the judiciary, carrying it even so far as the Supreme Court of the United States, according to Mr. Alling—is it not rational to suppose that this was for some far-reaching purpose in which there was "something in it" for Mr. Roosevelt? It seems to us, your Honors, that to suppose anything else

would be to suppose Mr. Roosevelt an idiot. And who supposes that, your Honors?

But let us go back to Mr. Alling and his remarks as to the reconstitution of our Federal Courts for Mr. Roosevelt's "policies":

"There is no accident in these appointments. President Roosevelt does not conceal that his object is to bring about such a judicial and final construction of the Federal Constitution as will give the United States power to regulate, control, and restrain all the business wealth of this country, and clearly he expects to succeed by the educational process of appointments."

Your Honors, this is appalling, if true; for our liberties would be in danger. It is also appalling to think how popular clamor could possibly land in the White House a man of such low morality. Packing primaries is nowhere in wickedness compared with packing our courts for the reduction of the country's wealth to pay perpetual blackmail to the President. For that is all it would amount to. If all this is true, then, surely, the judicial mood is not a jewel found in Mr. Roosevelt's casket. If true, this proves many times over what we have said about Mr. Roosevelt being a mere politician; and, we are sorry to say, not a politician of very elevated instincts, either. To pack the judiciary as you would pack a primary! To appoint to the bench men to decide hard and fast always in one direction, facts and law be hanged! Standard-Oil-Companyize all judicial decisions! Why, your Honors, where, for Lord's sake, in all this mucky muddle are we at!

Is it possible that this reduction of all our wealth to tribute-paying to the President is only a preparation of the ground in which shall flourish the royal line of Roosevelt, with its fingers in the pockets of all the railroads and big corporations for-

ever? Why, Croker, and his Democratic Club, with his 20% rake-off on \$70,000,000 of officeholders' salaries a year, would not be a circumstance for business sagacity. But isn't it reasonable? Otherwise, what is all this muzzling of press and Congress and judiciary for? They are certainly Croker strategies.

But Mr. Alling continues:

"The secret of Mr. Roosevelt's character is a tremendous love of personal power. He is the most arbitrary, the most arrogant man in the United States."

Oh, your Honors, gladly would we defend our President against this terrible arraignment! But the shades of the venerable Tyner, the brooding cruelty of Brownsville, the wanton wounds of a Long, the bruised and battered character of a Nicholls, and the dumb suffering of the poor civil-service coachman, chill us that the tongue of our protest against such hard words doth cleave coldly to the roof of our mouth.

But Mr. Alling still plies the birch:

"He thinks he can manage all business better than its owners can. Jack Cade, 500 years ago, promised the same. Even hell is paved with good promises and intentions.."

Your Honors, the man who would pave hell when he could pave his own pockets is not in the Croker class, after all.

"Three billions of dollars is an awful price to pay as a first instalment to get rid of Theodore Roosevelt and 'My Policy.' It will take a long time to clear this matter up. But in the end we shall go back to the doctrines of our fathers that that government governs best which governs the least. * * *

"Nobody can question the enormous effect of the universal impairment and injury to our credit, bringing on the recent panic, or question the direct and cogent work of President Roosevelt in bringing on the general impairment of credit.

“There has been no financial scandal attaching to any of the ‘wicked malefactors’ about whose heads President Roosevelt has been brandishing his big stick. There have been only three large public scandals. The Consolidated Gas of New York, the life insurance companies and the traction system in New York.

“In neither of these has President Roosevelt taken any part nor could he. Consolidated Gas has come out triumphant in the report of the master appointed by the court to ascertain the facts. I have no doubt of the result of the pending trial, except that as I notice a new Rooseveltian Judge is to decide the case.

“It is about three years ago in a stirring speech at Raleigh, N. C., that Mr. Roosevelt startled all thinking people by the proposition that the United States should regulate, control, and restrain the large business wealth engaged in interstate business. He has strenuously prodded the public, prodded Congress, prodded the judiciary up to this date, and it is the panic alone which has served to give us a rest.

“In my judgment it has been ‘my policy’ which has been the principal and direct cause in bringing on the panic.” NEW YORK SUN, Nov. 1, 1907.

Your Honors, we are morally certain that the woods are full of such birds as Mr. Alling, only their voices are not heard. The circling Roosevelt hawk overhead, with his press-agency and Federal and Presidential thumb-screws, gives the whole chorus the hush.

Now, your Honors, all this talk about Mr. Roosevelt would be of no relevancy in this argument, except for his close association with these wily plaintiffs in their nefarious schemes against our client, American Production. It is proven by abundant evidence, which we shall hereafter most clearly set forth, that Mr. Roosevelt, in spite of all his brave utterances in behalf of American labor, is and has been exchanging for various sorts of *quid pro quo* this sacred domestic market of ours, the life-blood of our whole people, its civilization and hope of heaven; and that in so doing he is obeying the beck of these wily plaintiffs.

XVIII

THE WILY PLAINTIFF, THE IMPORTING TRUST,
STEADILY MISREPRESENTS THE TARIFF-DIKE AND
CALLS IT THE OFFSPRING OF "CLASS LEGISLA-
TION."

Your Honors, this way of attacking our tariff-dike is one of the oldest known to the wily plaintiff, the Importing Trust. In your presence this morning, counsel for the Importing Trust made these walls ring 'round and 'round again with denunciations of Congress for "lending itself to small party politics and permitting the manufacturers of this country to victimize the 'consumer.'"

We have already shown you, your Honors, that there is no distinct class of "consumers" in this country, and that if any "consumer" is paying a protected price for what he buys, he certainly is obtaining a protected price, a price twice as high as is paid by any other people in the world, on what he sells, namely, his wage-production. We have only time to offer one or two examples of this form of tariff-dike attack as they appear in the newspapers of the Importing Trust from day to day. Here is one:

"As Cromwell said that peace without a worm in it was impossible without righteousness, so prosperity cannot be without a taint unless it is founded on fair dealing and a justice as exact as human beings can make it. There is also such a thing as law-made prosperity. This can but rankle in the hearts of citizens. How can a prosperity be untainted which depends, for example, upon a needless tariff on steel rails or beams, put on and kept on only to swell fortunes already great? Here we see the political absurdity and moral contradiction of those who have admitted the gross injustice of the high tariff"—

It is the Importing Trust, your Honors, who has "admitted the gross injustice of the high tariff," and no one else—

—"but have said it must not be touched because to do so would imperil prosperity. But it is those high duties themselves which imperil prosperity"—

The prosperity of the wily plaintiff, the Importing Trust, your Honors—

—"since they make the people distrustful and discontented."

"The people" are the members of the Importing Trust, your Honors. They are "distrustful and discontented" because the tariff-dike hinders their monopoly of our market here and gives the American wage-producer somewhat of a chance with the wage-producer abroad to draw wages from our producing fund. But this Importing-Trust writer keeps on with his lingo:

"Protectionist avarice is indeed a taint upon prosperity which long ago should have been removed.

"A stand-pat Administration confessing that its fondly loved prosperity is stuffed with sawdust, is truly a moral spectacle. If Prosperity itself now has to be written down Tainted, all the equivocations and vacillations about the tariff, during the last six years, are verily nothing but vanity and vexation of spirit."

In reading such things as this, your Honors, so full of falsehood, direct or indirect, so careless of the prosperity upon which hang the lives of millions of our people; nay, so anxious to belittle that prosperity, and make it seem to the wage-producer a burden instead of a blessing, all for the purpose of profiting by our misery, we come almost to favor the old belief in demons, rather than the idea that such cruel tricks are only the pestilent vapor from unhappy brain-cells. And yet, after all, your

Honors, there is consolation in the thought that they who do these wicked things are impelled thereto by their heritage of badly balanced brain-cells from the long past ages of savagery, and not from absolute will in this day and generation and in our present environment.

Here is one more sample of this style of attack upon the tariff-dike :

“Calhoun, if we remember, maintained that occasional periods of commercial depression and even panic were good for the country.”

How the Importing Trust, your Honors, breathes its prayer against the tariff-dike in every word of this ebullition ! It even preaches the healthfulness of panics ; yes, your Honors, such panics as always follow the breaking of the dike and the swamping of our industries in the deluge of foreign surplus products which overwhelms us ! Was ever greater coldbloodedness than this shown by any other New York bunco-steerer ! The Importing Trust, the foul bird of prey, who pecks our eyes out one by one every now and then, preaching panic as a cure for sin—American panic which is the harvest home of the Importing Trust ! A highway robber, your Honors, preaching to the victim whom he has robbed of all clothing the gospel of poverty and obedience and lauding the good effect of nakedness in hardening one’s skin to the winter’s blast ! Can we believe our eyes and ears, your Honors, when we see and hear such words from the monster who is to profit by our undoing ! It wants our purses, our watches, and our clothing, your Honors, and solemnly sermonizes us on the holy chastening effect of hunger and nakedness ! Was there ever such scientific knavery as this in all the world ! But the Importing Trust preaches on :

“They [panics] enabled us, he said, to take our bearings, politically; to see through false theories of government.”

Tariff-dikes, your Honors, were the “false theories of government”—tariff-dikes which gave discomfort to the Importing Trust:

“To expose charlatanism and return to sounder methods”—

the sounder methods, your Honors, which exposed our naked high-cost market to capture by the Importing Trust.

“In the moderate check to business which we have already experienced, some political good has been wrought. Belief in a magical tariff has been partly broken”—

by the German Agreement, your Honors, by which an Importing-Trust Administration gave Germany the power to fix its own tariffs on goods entering our ports.

“People have had glimpses of laws of trade and forces of nature too powerful for any politician or legislative contrivance. And they are prepared to go back more easily to the conception of government as something that should meddle with business as little as possible, and then only for reason shown.”

“The people” referred to in this extract, your Honors, we repeat, are the members of the Importing Trust, whose business is the destruction of our client, American Production. It is they who have had “glimpses of laws of trade and forces of nature too powerful for any political or legislative contrivance.” “The laws of trade” were the trickery and chicanery of German diplomacy by which the German Agreement was forced on our people. These things were too powerful for the “legislative con-

trivance" known as the American Constitution. It is these people who "are prepared to go back more easily to the conception of government as something which should meddle as little as possible" with their business, which is taking brokerages and commissions from the deluge of foreign surplus products rolling over our dike through the grievous rent made by the German Agreement. Yes, your Honors, these people are always ready to recognize such "laws" and such "natural forces" and to have such "conceptions of government."

We have given these extracts, your Honors, as mere samples of those now swarming in Importing-Trust newspapers all over this great country, the sole purpose of which is to discount the tariff-dike as our great bulwark against an industrial cataclysm here; and we warn you of the fact that these makers of public opinion are one and all paid by the Importing Trust to destroy American Production, that our arch enemy may rob our people of their savings.

The Importing Trust, the wily plaintiff herein, deals in no ordinary trickery in deluding the American people to their own undoing; but disguises its purpose in many ways. One of these ways is to control some newspaper ostensibly a believer in tariff-dikes and a supporter of the party which has usually held to the dike-building policy; and from such a newspaper, as from a masked battery, to discharge its broadsides against the forts of American Production. Through such newspapers as these it never "roots" for vulgar and barefaced Free Trade. It rather professes to like the idea of diking out the flood of foreign products; and yet it regrets "the inequities" and "burdens" of a tariff-dike "too high"; and hints that perhaps somebody

is getting "an unfair advantage" from so much protection, and suggests that the dike might better be "revised" for the purpose of correcting "abuses" and giving the "consumer" a better chance. This is the sapping and mining trick of the wily plaintiff, the Importing Trust, which it employs because, in these times, the connection between the Dingley Dike and American prosperity is so plain that to assault it openly would put the people on their guard. Here is a sample of the sapping and mining method of destroying the dike displayed in a Republican newspaper:

" 'The tariff will not be touched during the coming session of Congress, and when it is touched it will be after a declaration in the next Republican convention and after the next inauguration.' SENATOR WARREN OF WYOMING. 'Touched' implies the least possible revision from the Senators point of view. Meanwhile, are the people being 'touched' by the stand-pat interests?'"

Your Honors, this is perhaps the most perfidious thing of the kind in American journalism. This newspaper knows that there are no distinct "stand-pat interests" in this country. The whole "stand-pat" interest is the whole of American Production, and from American Production every wage-producer, every property-producer, and every adjunct-producer in this country draws his life-blood. This paper knows as well as it knows its own name that to sweep away and keep swept away our tariff-dike would be to sweep away and keep swept away the nation, which is only a group of immigrants ready to leave this country on the same provocation which caused them to leave their former habitat. It knows that, with the dike down to stay, from this country at cost-100, every manufacturing dollar would gravitate in a decade out into the rest of the world and its cost-20. And yet it is one of the hire-

lings, or, rather, the personal chattels, of the Importing Trust, and its business is to feign Republican principles while undermining the tariff-dike. It knows that the general breaking up of the dike would be followed by the starvation to death of our wage-producers, the bankruptcy of our property-producers, and the paralysis of all our adjunct-producers, and that the land would be overrun with insurrection and bread-rioting, to the destruction of millions, aye, billions, of dollars worth of property belonging to innocent business men and thousands and thousands of lives; and it knows that the American people no sooner would have realized what they had done, than they would turn every stone to build anew the tariff-dike. But this creature and chattel of the Importing Trust also knows that it takes several years to repair a tariff-dike; because, before they can hope for laws repairing the dike, the people have to await the expiration of presidential and congressional terms of office and the exorcising of the devils of the Importing Trust from the sick body politic of the country. It knows, that for several years the Importing Trust would be the King of American Trade, and, monopolizing our entire domestic market, would absorb the whole savings-bank fund of our people, which being accomplished, the Importing Trust would be ready itself to assist in the building of the dike anew, in order that American savings might be dammed up behind it once more, and one day be worth snatching again by the Importing Trust after the same sort of a campaign against the "trusts" which it is now carrying on for "revision."

Your Honors, to refer again to what counsel has said about tariff-dikes being "class legislation," no such thing as "class legislation" is ever enacted by

Congress. Every law must be universal in its application. It can mark out no classes. There can be no "favoritism," no laws which "rob the many for the enrichment of the few." This tariff-dike protects all alike, for it is that which prevents this country, as an industrial proposition, from being wiped from the face of the earth by a raving deluge of cost-20 products. The wily plaintiff, the Importing Trust, knows this better than any other one else on earth. Why, your Honors, the Importing Trust stands by us centuries long, for even the slightest opportunity to pocket the difference between foreign cost-20 and our domestic cost-100; for, against every rule of wise statecraft, ay! against the simplest common sense, this arch-marauder of the centuries has always been allowed by our people to play blood-sucker to our industrial arteries, and is even now permitted to rush across our dike nearly two billions of dollars' worth of goods a year, every dollar's worth of which should be made by our wage-producers, to the raising of wages, the wider distribution of our wealth, and the refinement of our morals and civilization. And yet, knowing all these things, these wily plaintiffs often join in spreading the belief that the tariff-dike protects "special interests," who secure in Washington in their own private behalfs legislation in its benefits to them exactly proportioned to the size of the lobby for which they pay. We might inquire, your Honors, how large is that lobby which at Washington represents these wily plaintiffs and their attempt to destroy American Production for their own special profit. Our savings bank account now is nearly four billions of dollars; and our annual domestic transactions as shown by the

banks amount to one hundred and seventy thousands of millions of dollars. It is this entire savings account and as many of our domestic transactions as they can appropriate to themselves which move these wily plaintiffs to maintain their own lobby at Washington, which, for unscrupulousness and richness in bribes is a Titan where other lobbies are Tom Thumbs. Does not this look reasonable, your Honors?

To return the taunt as to "class legislation," we declare that these wily plaintiffs are demanding of Congress the most abominable kind of "class legislation." For the legislation they demand is the "revision" downwards of the tariff-dike, which would immediately divide the people of this country into two classes, viz., those who had money to profit by peddling foreign goods in our markets and those who had not. Those who had such money would be the masters of those who had not. Money would be everything; flesh and blood nothing; and workers without money would be so poor that their misery would sell them body and soul to the moneyed men for a mess of pottage. By lowering the dike you snatch from those without money to peddle foreign goods the only thing which makes them independent, the value in their labor. Truly, dike "revision" is "class legislation" of the wickedest kind. Truly, the high-tariff dike wipes out all "class" landmarks by making all alike independent in the value of their labor. Labor is then the coin of exchange, a coin which all may have. But lower the tariff-dike, and you dig a deep gulf between those with and those without money. Labor is no longer anything; money is everything; and those without money become the chattels of those with it.

But far on the other hand, we declare that tariff-dike legislation is non-class legislation of the highest kind. It makes labor first and money the servant and not the master of the people; and reduces the whole country to the common level of workers. Moreover, it is merely common justice and equity; for it goes on the principle that American wage-producers should have in their own domestic market at least some chance with wage-producers abroad, who do not support our government and our laws and are not liable to serve in our army or navy for the defense of the country.

As a final reply to counsel for plaintiffs under this head, we simply point to the Dingley Law, enacted July 24, 1897, which is the dike that for more than a decade now has kept out a portion, and a portion only, of the foreign deluge of surplus products. An examination of this Law by people who believe in the square-jawed falsehood of the wily plaintiff will show that this "class legislation" embraces provisions for every "class" of producers in the United States, except those of kerosene oil, anthracite coal, cotton, undressed timber and perhaps a few other things called "raw materials." *

* Since we are now importing something like \$20,000,000 of raw cotton annually, the tariff-dike needs to be mended to shut out foreign cotton. It is said that when the Dingley Dike was under discussion, a committee representing our Southern cotton-growers appeared before the Ways and Means Committee of the House at Washington and made an appeal for the protection of cotton; but the appeal came to naught through the appearance of some New England cotton manufacturers before the same committee who represented that a tariff on raw cotton would be against their interests. These New England manufacturers were immediately afterwards found dead by the wayside and an examination showed that each had died from a wasting disease of the brain which had eaten away as with a cancer all the brain-cells in the organ of conscience. Had this dread disease not already destroyed their sense of justice, they never would have had the courage to protest against protection to others when they were themselves protected.

Therefore, even granting for argument's sake that it is "class" legislation, it is also *national* legislation, benefiting every producer and so every consumer within our gates; because the nation is but a composite of producing "classes," and when you have sheltered each class behind the tariff-dike, you have sheltered the whole nation. We do not forget, your Honors, that learned counsel for the prosecution ponderously declared that those engaged in industries which can be at all benefited by "protection" are so few in number and the burden of the "tax" upon all the rest who must remain unbene-fited is so great that the greatest good of the greatest number requires the "revision" of the dike downwards to a revenue level. But, as we have said before, those who are sheltered primarily by the dike are, without discrimination, our wage-producers and property-producers; and the whole country depends directly upon our wage-and-property-production.

XIX.

THE WILY PLAINTIFF, THE IMPORTING TRUST, IS EVEN ATTEMPTING TO COVER WITH THE VEIL OF MYSTERY THE RESULTS OF ITS MACHINATIONS AGAINST THE TARIFF DIKE, WHICH MUST SOON EVENTUATE IN PANIC AND HARD TIMES FOR OUR PEOPLE.

Your Honors, a few moments ago we read to you the words of various of the mouthpieces of the wily plaintiff, the Importing Trust, the purpose of which was to mislead our people as to the real source of the industrial and financial disaster which the

speakers scented in the distance. There is no doubt, your Honors, that sad times are just ahead of us but there is no mystery as to their source. There is no doubt, your Honors, but the disaster will flow from breaches in the tariff-dike which for a decade, in various secret ways, have been making by the Importing Trust. For, your Honors, this wily plaintiff never slumbers or sleeps, when by any subtlety whatever there is a possibility of working a crevice in our dike through which more foreign goods can trickle into this country and more commissions and brokerages into its strong box. It is because there is already a baby-inundation of our country by foreign goods at cost-20 that there is that anxious "feeling" in our business centres. It is too plain a case for mystery, your Honors. As we believe we have said before, business is simply demand being connected with supply; and as long as our whole domestic demand is connected exclusively with our home-made supply, business must always keep a volume at least as great as our whole domestic demand. Our demand expresses our wants, and our wants are rather increasing than diminishing; and as long as we ourselves have the right to work and provide our own supply, and utter our demand by finding a market for what we produce ourselves, whether wages or property, goods and cash will pass back and forth over the counters of our merchants in unbroken torrents and business will get rather better than worse. But if there is an escape of our domestic demand to foreign fields of supply; if the opportunity which we give to others to work for us be not returned to us in an opportunity to work for others; if thus our means of exchange is taken away from us, the demand across the counters of

our business men will slacken in just the degree that our employment thus slackens; and then and only then shall we face a "practically certain recession in trade" and realize that "we have ahead of us a period of smaller industrial totals." Yes, your Honors, as the power of our people to buy leaks away through our demand placed in the foreign cost-20 supply, the face of our prosperity will be averted and we shall soon hear that "railways are curtailing expenditures," "bankers are inclined to exercise caution in extending accommodations" and that "most manufacturers and merchants are planning their fall campaigns with much conservatism," and there will be "little division of well-informed opinion" "that the period ahead of us is one in which commercial activities will be curtailed and manufacturers' totals show a decrease." And the Importing Trust tells us that all this has happened; but what a mystery it is to this wily plaintiff! It is itself the very cat which swallowed the canary, but just listen to its plausible purr! There is not a feather sticking to its teeth; not a suspicion of blood on its velvet coat. And yet that canary, at this very moment, is in the cat's grateful stomach. If the cat is so reckless as to get caught in the act, or to confess its theft, it will never get another chance at the country's canaries. Hence its bland ignorance of the true cause of the "practically certain recession in trade," which is that, through the ceaseless efforts of the wily plaintiff, the Importing Trust, backed by the fact that foreign industrial growth and enterprise have largely discounted the height of the Dingley Dike, the balance of foreign trade is hundreds of millions against us annually, in spite of the pretense that it is \$400,000,000 in our favor.

The report that comes to us from the United States Treasury, your Honors, purporting to tell us how much we have sold and bought abroad, does not tell the whole foreign-trade story. Because it is in figures and says nothing about quantities, upon which depends the power of foreign products to supplant American supply, that is, to cancel the need of the physical thing; a power unconnected with the money value of the goods. A Japanese brush, for instance, Japan being a cost-10 country, supplants a cost-100 brush made here, and so cancels a 100-demand; but the Treasury figures only cover the Japanese brush at 10, and leave out of account 90 points of a 100-point loss in our domestic business. And going thus through the whole list of imports the total would be an average world-price of 20 instead of our price of 100. In other words, our imports would have had something like five times the American-demand-killing power of the figures given in our list of imports. But this is not the whole story of the deception contained in our Treasury report as to our foreign trade. When we export we are at the reverse disadvantage. Our exports are figured in the list at cost-100, and their displacing power, pound for pound, is but one-fifth of 100 in a world whose costs are at 20. The high American price cuts too burly a figure compared with its effect in cancelling foreign demand; and our real trade is but an average of one-fifth as great as the figures show. In other words, when we buy in the world at large, the average destruction of American domestic demand, caused by paralyzing the American medium of exchange, otherwise the wage-producer's opportunity to produce wages, is five times as large as that shown by the Treasury figures, while, on the other hand, the figure cut by

our exported goods in supplying foreign demand is only one-fifth as great as appears by the Treasury figures.

On the basis of this reasoning, your Honors, let us do a little figuring ourselves :

American imports annually, \$1,500,-	
000,000, with displacing power in	
quantities five times as great, or..	\$7,500,000,000
American exports annually.....	2,000,000,000

Loss to American business	\$5,500,000,000
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Here is a nominal loss of \$5,500,000,000, in demands which should have gone to American Production and should have shown in the records of our property-producers.

But this does not tell the whole story either, your Honors. A single opportunity offered American Production is the starting of a whole procession of opportunities which otherwise would not have come into play. Did you ever observe, your Honors, how a single trolley car off the track blocks a procession of a hundred trolley cars on Broadway? It is something that way with an opportunity which has gotten off the track through a demand for a given supply having gone off the track into the hands of the Importing Trust. It blocks the procession. Therefore, when you say that our business is \$5,500,000,000 worse off in a year by the activity of the Importing Trust, you have not begun to put in figures the actual loss to the country. Our annual domestic business, as shown by our banks, as we have said before, covers something like one hundred and seventy thousand millions of dollars of exchanges, while our actual production of goods

in the same time is but a fraction as large. This shows that production is the good old hen of opportunity which lays a nest full of eggs and hatches chickens enough in a short time to make a whole regiment of hens.

There is no doubt, your Honors, that this reasoning comes pretty close to the real truth as to why "we are facing a practically certain recession in trade;" why "bankers are inclined to exercise caution in extending accommodations;" and why "most manufacturers and merchants are planning their fall campaigns with much conservatism." If our figures are only half true—and we believe they are wholly true—what a terrible destruction, your Honors, through our upward-bounding foreign imports, is going on among our sources of wealth. Think of it, your Honors! What a wanton thing is this wily plaintiff, the Importing Trust! To land a single dollar's worth of goods in this country, it kills a corresponding domestic demand equal to \$5! We repeat it, your Honors, supply is the measure of demand; for to offer a supply is to demand its equivalent in exchange. Kill the cause for an American supply by a dollar's worth of foreign goods, and you have killed \$5 of American supply, that is, \$5 of American demand, which is \$5 of American business. This killing of American business at the rate of \$5 of domestic business for every \$1 of foreign imports is going on at a reckless and ever-increasing rate; and this alone, were there in fact a trade balance such as the Treasury reports show, would be enough to do all the things in the direction of a "practically certain recession in trade" which our Importing-Trust orator says are happening in such a mysterious way.

But the Treasury reports do not tell the whole story. They merely give arbitrary balances shown by the exchange of the goods, and do not touch matters incidental to foreign trade, which wipe out the credit balance and leave a heavy debit balance instead. Let us figure a little, your Honors, and see if we cannot bring some honest common sense into the method of keeping the country's accounts relating to foreign trade:

Favorable balance of trade as shown by the Treasury figures.....		\$400,000,000
Freights paid by American to foreign ships.....	\$300,000,000	
Expenses of American tourists abroad,	100,000,000	
Immigrants' remittances to old folks at home.....	100,000,000 *	
Interests and dividends on American securities	200,000,000	
Undervaluations of imports.....	100,000,000	
Smuggled goods.....	100,000,000	900,000,00
Actual balance of trade against the United States.....		\$500,000,000

Your Honors, we verily believe that, without reference to the incalculable injury wrought from the cancellation by every unit of import of five units of the American demand upon our business men, the actual cash balance of trade against us is upwards of \$500,000,000 a year at this moment; and to this for the future must be added \$100,000,000 more at least because of the increased undervaluations permitted by the German Agreement, and from \$50,000,000 to \$100,000,000 still more, because of the premium upon smuggling lately offered by our German Administration through a Treasury order which makes perjury on the part

*To this should be added the money taken out of the country every fall by the eastward migration of Italian, Hungarian and other workers, who spend the winter in the old country.

of the traveler the only thing between him and the profits of a trunk full of smuggled goods.

Your Honors, in this state of things with regard to our foreign trade, we have the seeds of a national disaster of great proportions. The tariff-dike, as you see, is being made powerless to prevent the cancellation of our domestic demand at the ratio of 5 to 1, that is \$5 of American home business cancelled for every dollar's worth of foreign goods imported. There is a growing trouble in the "feeling" of the country. Confidence is oozing away because the underpinning of confidence, the certainty of \$1.05 coming back for every \$1 expended in American production, has been and is being kicked away by the trickery of the wily plaintiff, the Importing Trust. But mark, your Honors: This trouble is coming on because we have no sufficient dike to dam out foreign cancellations of our domestic demand, foreign malicious animal magnetism, which changes into dross our domestic coin of exchange, wage-production.

And yet, your Honors, the wily plaintiff is even now beginning to instruct its newspapers and orators to say the trouble comes from "the hindrances to foreign trade imposed by the robber tariff!" Pointing at our failing business to justify its declaration, it will gibe and sneer and jeer at the tariff-dike as unable to make prosperity; and at the same time raise a din for "revision," in order to "remove the shackles from the sturdy young limbs of the great American giant of industry." And it is quite likely it will succeed, as it has done so many times before, from the lapses of the national memory, or, rather, the total absence of a national memory. Then, what will follow? Just what has followed so many times

before: Before the dike is discounted by advanced foreign methods of production, and before the Importing Trust has picked it too full of holes, the season of prosperity will have filled our property-producers so full of the belief that each dollar they put out in material and labor will come back, say, \$1.05 in the price of their finished product, that large numbers of them will have run into debt to increase their business. Some will have put up as collateral to their borrowings various securities which were earning good dividends and paying good interest. Others will have mortgaged real estate. And some will have been fortunate enough to get loans for stock in the corporations of which they are the moving spirits. In all possible ways these people will have given security to money-lenders. Now so long as there is a bottom in the country's bucket, so long as it will hold the fluid of American demand, which buys their goods and leaves them a profit, their creditors will not hesitate to extend their notes and even slightly to increase their loans. The country seems solid as oak and everything goes swimmingly. But now the dike has sprung aleak through the hammer and crow-bar of the wily plaintiff; and it begins to be hammered by a lot of the hirelings of the wily plaintiff, the Importing Trust, who get paid in proportion to their zeal and the weight of their blows; and soon a lot of booby babblers among the would-be-intellectuals of the country also take up hammers and bars against the dike; then the "raw material" fiends join the gang; then the politicians wake up and try their hand also; then a lot of members of the Manufacturers' Association, with mole-eyes and gormand bellies, swell the music; and it ends by

half the country being hypnotized into believing that the dreadful high-tariff-dike, already as good as none at all because gushing foreign goods at every joint, is the source of all the stringency of money conditions really arising from the leaking dike; and finally, instead of mending the dike like sensible people and putting a couple of additional stories on it to equalize late foreign economies in production, the whole swarm of sap-heads makes a dead rush at it and levels to the sea-bottom the already tottering dike. Then in breaks the foreign deluge with hungry fury. Mill after mill closes. Furnace after furnace puts out its fires. Concern after concern cuts down its working forces; and swarm after swarm of wage-producers is turned idle on the streets to live indefinitely on charity or their savings. Well, a mill that's dead is no good security; and securities that depend upon the earnings of such a mill are no good collateral. The pay-roll has taken about all the loose cash the mill-owner had when he paid off his men and let them go. But the interest on his large note is coming due. He hustles around to borrow on what other security he can offer. Money-lenders wont take it. It is perhaps a mortgage he holds on some employe's house. But the employe is out of work now, and the mill is closed and perhaps the house will be worth nothing as a worker's home; because the mill may never open and the workers may be scattered for good and all. Who knows? At any rate the lender will not accept the mortgage as security. Then the mill-owner offers, perhaps, some railroad stock. But, no, the lender says that, because its freight-earnings had dwindled so and, over a large part of it, the passenger traffic had entirely

failed, especially where it had depended on any of the closed mills along the route, within a month after the dike was busted, the road passed its dividend and went into the hands of a receiver. Well, nothing the mill-owner offers will satisfy the lender. His interest falls due and he cannot meet it. His creditor is himself a debtor. He also has notes to pay and he has depended upon the interest from the mill-owner's notes to pay them; and he must save himself as he can. He rushes into court and gets judgment against the mill-owner; and the sheriff levies on the mill and all its contents of unsold goods. There is a sale. The property, real and personal, is sold out under the hammer. The mill-owner is ruined. The results of a lifetime of hard work have been swept away. And very likely the mill-owner commits suicide. This is what happens in thousands of cases. Every man who owes money is in danger of being sold out, and, to save himself, rushes to those who owe him money and compels payment. This keeps up until thousands of failures occur every day and the country is swept by a cyclone of panic. Wall Street has already fallen with a crash. The cockle-shell of speculation was crushed by the shock which knocked values out of the money-earning collateral it relied on; because by the destruction of the dike and the in-rush of cost-20 goods to supplant cost-100 goods, money-earning was cut out of the enterprises which issued the securities. This is the plainest matter in the world, your Honors. We cannot believe the wily plaintiff's counsel are talking in good faith, when they affect not to know the reason of these panics; when they say that they come around about once in eleven years and are be-

lieved to be more or less connected with the sun-spots; or that they come because of "short crops;" or "scarcity of money;" or "over-production;" or the "corner in gold;" or the "exactions of the trusts," who sell abroad at lower prices than at home. These wily counselors to the wily plaintiff do not call attention to the fact that the panic immediately followed the smashing of the dike and that the country was already in the Slough of Despond before anybody thought to lay it to any of these things.

Could it be "over-production," your Honors, when the demand of our people would require all the goods on hand and more, if, by the smashing of the dike, they only had not lost their jobs and their wherewithal to buy? At any rate, your Honors, is over-production such a bad thing, when people are sure of their jobs at any rate; even if now and then they do take a day or two off and wait for consumption to catch up with demand? For, your Honors, people who believe this over-production yarn seem not to realize what a tremendous mountain of goods is swept out of our markets by the demand of a single well-paid wage-producing day in this country. Why, your Honors, rebuild the dike, shut out foreign supplies, and every particle of American goods, no matter how much, could be swept out of our markets in a single month by our own demand; and from "hard times" we would jump instantly over our heads into the tall grass of good times. But, your Honors, instead of only a little month, these hard times which they say come from "over-production" last years long, when the dike is down; and don't you think it looks as if the Importing

Trust and its profits were at the bottom of this little falsehood about "over-production."

Furthermore, your Honors, could there be "over-production" of more than a few hands full of goods? Do people produce goods just for the fun of it; or do they produce them to sell? And if they found their goods would not sell, would not they just stop producing a little while, until there was a demand for them, instead of keeping on day after day, and week after week, and month after month, "over-producing," that is, putting their money into materials and labor, only to let the goods lie in their warehouses to become moth-eaten or to rust out? "Over-production," your Honors, belies the intelligence of producers. And especially is this talk of "over-production" very weak when it applies to the producers of a whole great country like ours. It means, that all of the producers at once were seized with a sort of lunacy for hazard-spiel, for, making up masses of capital into goods for which there was no sale and perhaps not likely to be.

No, your Honors, this "over-production" talk does not bridge the chasm. It does not wash. But, your Honors, we think we see what the wily plaintiff means by "over-production" with regard to our industries. It is simply any American production at all when the dike is down. At such times our market belongs to the Importing Trust and it is mere impudence for an American property-producer to try for any of it. We think we see that sort of over-production in sight now. We think we see why, to revert to the language of our Importing-Trust orator referred to a few moments ago, "most manufacturers and merchants are planning their fall campaigns

with much conservatism;" and why, "there is really little division of well-informed opinion that the period ahead of us is one in which commercial activities will be curtailed and manufacturers' totals show a decrease." And we have only to go to the columns of an Importing Trust newspaper of the "revisionist" Republican type for the explanation. In this paper one item reads like this:

"Despite the opening of the fall season the pig iron market continues stagnant. It appears absolutely impossible to dispose of pig iron except in very small quantities and then only in cases of emergency."

This quotation is upon one page of the paper. We turn to another page of the same issue of the same paper and find an item headed "Our Chief Imports by Quantities;" and among these imports we find there were 564,846 tons of pig iron imported into this country in this fiscal year 1907 as against 23,316 tons of the same article imported into this country during the fiscal year 1899. We think that an increase of over 2400% in the imports of pig iron in eight years is a sufficient cause for the sentence, "Despite the opening of the fall season, the pig iron market continues stagnant." We think there has been an "over-production" of pig iron abroad for our market here. When there is trouble anywhere in France, the Frenchman says "*Cherchez la femme!*" But when there is any "stagnation" or decay anywhere in our business fabric, *Cherchez la*—leak in the dike! The leak this time is in the tariff on pig iron.

Again, in the same paper, we find this item:

"The falling prices of copper will very soon have an appreciable effect on the mining industry of Butte

and the copper output, for a low price of the metal will force many lessees and small mining companies to quit operations.”

And in another part of the same issue of the same paper we find the statement that, whereas in 1899 the Importing Trust brought into this country 10,292 tons of copper ore and 39,812,667 pounds of pig copper, in the fiscal year 1907 the same Importing Trust brought into our market 278,488 tons of copper ore, and 198,442,715 pounds of pig copper. We rather think than an increase in eight years of 2700% in our imports of copper ore and 400% in our imports of pig copper will be the cause which “will force many lessees and small mining companies to quit operations;” and we are quite willing to grant that “over-production” is the thing to blame; but “over-production” of *foreign* copper and not “over-production” of *American* copper for our market.

Your Honors, looking over this list, “Our Chief Imports by Quantities,” just referred to, we would not be surprised if there were various other items which would soon suffer from the same sort of “over-production” which is threatening so seriously to affect copper and iron. For example, we note that the importation of lemons has increased by over fifty millions of dozens annually since 1899. This looks like a serious and soon “over-production” on the part of our lemon-growers in California.

Also cotton cloths appear to be in a fair way to be “over-produced” in the quite near future; since annual imports of the same have increased by some thirty millions of square yards since 1899.

Furthermore, we are annually importing some

fifty-odd millions of pounds of raw cotton more than eight years ago; some twenty million square yards of woolen dress-goods, some twenty-two million pounds of cheese, some twenty-two million pounds of leaf tobacco, some three million pounds of wrapper tobacco, some million and a quarter pounds of woolen cloths, some one hundred and fifty thousand dozens of bottles of champagne, some two hundred and twenty-thousand tons of nitrate of soda, and some one hundred and eighty thousand tons of wood pulp, more than we imported eight years ago; and we would not be at all surprised to discover by the end of the year that we were charged by the Importing Trust with serious "over-production" in all these directions. At any rate, your Honors, imports in all these things are rapidly increasing to compete with our own farms and factories; and, contrary to prudent statesmanship and to natural justice, the increase in wages which would respond to the additional employment of our own wage-producers, in making these goods now imported, is being denied our workers. The dike is already leaking badly enough in all conscience without any "revision."

Your Honors, with almost inexhaustible supplies of copper in our own mines, the Importing Trust bids fair before many years to handle most of our copper through its commission houses; and for the simple reason that there is no tariff-dike against copper in any of its unworked forms. And in spite of a tariff of 40c a ton on iron ore and \$4 on pig iron the importation of pig iron has rolled over twenty-four times in eight years and is still rolling; while imports of copper ore, without a tariff, were rolling over twenty-seven times!

We observe, your Honors, that wool is in something of the same sort of a fix as copper and iron. In eight years the Importing Trust has increased its commissions from this source by increasing from 77,000,000 pounds to 204,000,000 pounds its annual sales of foreign wool in this market. Again, with regard to this article, we have boundless territory good for nothing but wool-raising; while a defective tariff dike has caused imports of wool to roll over nearly three times in eight years. We observe that "over-production" of wool is very close at hand for the American farmer. Evidently the tariff-dike needs no "revision" to assist the country to "cheaper" wool.

In passing, we remark one thing, your Honors: With one of its mouths, the Importing Trust says we need no tariff dike, because our "inexhaustible supplies of raw materials." in which we "stand without a peer," coupled with our "inventive genius" in making machinery, assure us for all time lower costs than can be reached elsewhere. And yet, your Honors, in spite of the tariff-dike, iron, copper and wool, came surging in here in irresistible billows? Why is this, your Honors? If our "raw materials" are so abundant that we cannot be beaten in price, why do foreign "raw materials" come pouring across the water and over the top of our dike? If we had no dike at all, as the Importing Trust wishes, would these "raw materials" stop coming over? Is it the dike that makes them come, your Honors? If it is, why does the Importing Trust want the dike taken down? Doesn't it want any commissions on "raw materials?" Doesn't it want "over-production" in these things, too; "over-production" by foreign producers for American markets? But if it is hon-

est when it says "we can't be beat" in cheapness because of our "unexampled supplies of raw material" and "unequalled genius for doing things on a great scale," why does it want the dike down on "raw materials?" If the Importing Trust can't beat us any way, because of our "unexampled supplies" and "unequalled genius," what harm does the dike do if it stands? If it were down, these "raw materials" couldn't get in here, could they, if we have such "unexampled supplies" and "unequalled genius?"

But this wily plaintiff, the Importing Trust is very funny, your Honors. We have just told you why it says we "can't be beat"—it is "unexampled supplies" and "unequalled genius" that take the trick. We have both bowers and the joker. But with another of its mouths, the wily plaintiff says we ought to "let raw materials come in free, so our manufacturers can get them cheaper, work them up into goods, cheaper, at any rate, than they would be if American "raw materials" were used, and send them abroad to "conquer the markets of the world," thus "giving more work to our manufacturers and higher wages to their employes." Isn't this very funny? Our "raw materials" are so cheap by nature that nobody can get them so cheap; but our "raw materials" are so dear by nature that unless our manufacturers get foreign raw materials they can't get the big bird in the bush of a market abroad.

The confusion of the Importing Trust prophets upon this subject of raw materials, your Honors, is a conclusive proof of the bad faith in which they carry on their warfare against our client, the defendant, American Production. This confusion is so great, even in the same mind, that from one

side of his mouth an Importing Trust minion will say that we beat the earth in all sorts of raw materials, and from the other that we are very defective in this regard. To clinch our statement we cannot forbear citing an example of this confusion. Here we have a New York Free Trade newspaper, notoriously pro-British in its management, under date of September 23, 1907, saying this with regard to our raw materials:

“It may help to put a better face upon the facts if we regard these importations as the remedy—the accustomed remedy, in fact—for the chief cause of our industrial check. Every authority agrees that we have suffered from deficiency of capital. Here is the proof that we are remedying the deficiency at an unexampled rate, and yet there is general dismay.”

This article, your Honors, was one attempting to quiet the fears of our business men awakened by our greatly increased imports, which threatened soon to leave a trade balance against us.

—“and yet there is general dismay. It can only result from the confusion of thought which regards capital as exclusively gold, or as bank credits. In fact the deficiency in those forms of capital is the least important part of our present deficiency of capital. **WE HAVE LACKED PARTICULARLY EVERY FORM OF RAW MATERIAL.** There was a shortage a few months ago of copper metal, but its importation swelled the figures under discussion and helped to revive the consumption of copper through the reduction in price which resulted from the accumulation of stocks.”

Please observe, your Honors, that while this creature of the Importing Trust is trying to quiet our fears with regard to our growing imports, it smooths the matter over by saying, “We have lacked particularly every form of raw material.” Now, in another part of the same paper, in making an assault on our tariff-dike, which prevents its British masters

from destroying American industries, wishing to show that we really have no need of the dike, it says:

“But as pointed out by Governor Folk, the economic vice of the protective tariff is not less conspicuous than its violation of equity. Here we are a Nation with immense resources which we are developing with steady determination and energy with the announced purpose of taking a great part, if possible a dominant part, in the commerce of the world. And we keep in operation a system of obstruction and restriction of commerce of the most rigid, complex, vexatious, and costly character. IF IT WERE NOT FOR OUR EXTRAORDINARY NATURAL ADVANTAGES, THE IMMENSE RANGE AND VARIETY OF THE PRODUCTS OF OUR SOIL AND OUR MINES, and the unfailing stream of immigration from our earliest days as a nation, we never could have stood our own efforts to impede trade. Sooner or later the reversal of this absurd policy, the emancipation of our commerce, is bound to be a dominant issue in our politics, and it may be sooner rather than later.”

Here, in the same Importing Trust newspaper, in immediately contiguous columns, we have the statement on the one hand that we have been and are importing very heavily because we have “lacked raw material in every form” and on the other hand that we have “impeded trade” with our dike and all that has saved us from sorrow is an “immense range and variety of products of our soil and mines.” To justify increasing imports, we are lacking in raw materials and they are flowing in as if we had no dike. To justify a wholesale damnation of the troublesome tariff-dike, we have raw materials in great abundance, which save us from ruin. In each case, it will be noticed, however, the writer had the same object, the destruction of the dike, in the faithful and true service of the wily plaintiff, the Importing Trust, and all its cruel designs against the homes of American wage-producers. But this is not all we find in this same issue of the same paper. We have a com-

munication printed there from a New York Cleveland Democrat and a notorious Free Trader, in which occurs the following language:

“In this praise of Mr. Whitney’s speeches, which I share with your editorial of to-day [Sept. 20], I would make one qualification. The census returns of 1900 and the Bulletins of the Bureau of Statistics which bring these down to date, afford sufficient material to enable us clearly to see that the principal raw materials, such as iron ores, coal, lumber, and hides, should at once be put on the free list, and that it should be immediately enacted that no duty except in the case of wine, spirits, and tobacco, should exceed 50 per cent. With these two immediate reforms, we could go about tariff revision somewhat on the lines suggested by Mr. Whitney [Democratic candidate for Governor of Massachusetts], through the medium of an intelligent commission, without serious derangement to business and to the great and lasting benefit of the whole country.”

We have already read to you, your Honors, the words of a celebrated Importing Trust orator and author who says “we have combined with the advantage of *unexampled supplies of raw material* an unequalled genius for doing things on a great scale.”

It is too plain for dispute that what all these people are after is not American prosperity, but the prosperity of the wily plaintiffs herein.

These Importing Trust advocates should get together and settle upon a uniform falsehood, and see what they can do towards proving that a lie well stuck to is as good as the truth. For, if they keep on telling opposite lies for the same purpose they may be charged with inconsistency. You will remember that one of our doctors said that England had fallen behind to the third place in international commerce, while the United States had gone to first place and Germany had pulled herself up to second. But we have just heard another doctor say that we have “impeded trade” by our

tariff dike. If great "we" have impeded trade by a tariff dike, what must have happened to little Germany, with a dike worse than ours. But Germany has been so "impeded" by her dike that she has beaten England who has no dike; and we have been so "impeded" thereby that we have gone clean to the head of the class.

But let us return to the various subterfuges which the wily plaintiff, the Importing Trust, employs to hide the havoc which always follows dike "revision" downward.

As it is with "over-production," your Honors, so it is with "scarcity of money," given as a reason for hard times after the dike has been "revised." Money is then scarce to invest in American production or business of any kind, except that of the wily plaintiff, the Importing Trust. Because there is no chance for any American business to succeed at cost-100 while the country is being inundated with all forms of cost-20 goods. No money-lender can see any security in a mortgage on an American mill, while the wheels of the mill are silent and its chimney smokeless, with no assurance in sight as to when the mill will start again. And when railroads are in the hands of receivers, as they were in the Cleveland low-dike era, between 1893 and 1896, neither their stock nor their bonds are considered the best of security by the "malefactors of great wealth" who otherwise would advance the where-withal. That condition, when the dike is busted and the times are hard, accounts both for "scarcity of money" and "the high price of gold," or "the corner in gold," of the days of Bryanesque jim jams in 1896.

We pass over the "sun-spot" theory of hard times. It is too profound for us to handle with our usual

distinguished ability. Alas, for our unresponsive brain-cells!

Then they say, your Honors, do these wily plaintiffs, that the trouble which follows the "revision" of the dike arises from "bad" or "short" crops. At any rate, when the people have kicked up a large bobbery over the broken dike and have repaired it more or less, these wily plaintiffs account for the return of good times by "good crops." It is strange that there are never any good crops when the dike is in a state of "revision." But it is easy to explain "bumper crops," your Honors. When the dike is "revised," prices are so low because of our weak workless demand, arising from our want of wages to buy with, that there is no encouragement to a farmer to raise much more than what he wants to eat himself. So he does not do it. But when the mended dike dams money in the country and foreign competition out, demand picks up and prices follow; then the farmer plants with the crops that bring the best price every inch of ground he can clear and clean. Now, your Honors, this country is a good deal larger than an ordinary pocket handkerchief, and when prices are high, and the returns are in at harvest time, the crop from this whole great country is sure to be a "bumper." Bad weather cannot spoil a part of it large enough not to leave an abundance afterwards. And so, as times continue good behind the dike, the farmer plants more and more every year, because it means more and more cash. But smash the dike, let prices fall to the bottom rung, and your crops fall with them.

What is a crop worth, if you can't sell it?

"Over-trading" and "over-speculation" are of the same sort of timber as the "over-production" apol-

ogy for the hard times following "revision." If you "over-trade" and business still is good, just hold your horses a moment, until they quit their cantering and until steadiness returns to the vehicle. If you "over-speculate" you are a bad penny, anyway, and belong to the crazy-gamblers ward at Bellevue. But in either case, with the dike down, and the Importing Trust doing all the business, when a man is pulled to his knees, there is no getting up. Everything is flat and the devil to pay with no pitch hot.

XX

IT IS THE CENTURY-OLD POLICY OF THE WILY PLAINTIFF, THE IMPORTING TRUST, TO FORCE THE PROSPERITY OF THIS COUNTRY TO DEPEND UPON CROPS.

The reason why the Importing Trust and all its retainers have so much to say about "crops" as the rock upon which American prosperity is built, is that the condition which has made us so largely an agricultural people, and therefore so largely dependent upon crops, is one created by the power of the Importing Trust expressly to keep its hold on our cash. You will recollect that we said some time back that the wily plaintiff, the Importing Trust, had been since our earliest colonial times, the worst enemy of American Production, and for the reason that American products compete in our market here with foreign products and the Importing Trust gets no brokerage from American products; whereas it gets a very high brokerage on every pound, yard, and gross of foreign products brought into our market. You will remember what

we said about this wily plaintiff, the Importing Trust, securing acts of Parliament forbidding us, as American colonists, to manufacture various goods, in order to compel us to buy all our manufactured necessities and luxuries of the wily plaintiff. We were not forbidden to raise farm stuff, for the English wanted that and got it at their own price. Therefore, instead of developing in a consistent and symmetrical manner upwards from a broad base of diversified industries, we were forced in the direction of wheat, and corn, cotton, lumber, and such things; and instead of being able to sell our farm products to our own manufacturing settlements, which we would have been permitted to build but for England's Exporting and Importing Trusts, we were compelled still to raise food for "the markets of the world" and so to wander farther and farther West and turn up new grain fields and lay out new cattle ranches, all to feed "the world" instead of ourselves. In other words, we were congested upon one general field of employment, to our practical enslavement to foreign patronage of our products. And so our "crops" came to cut a large figure in our foreign trade, and they have continued to hold us in a sort of peonage to Europe ever since. If our "crops" fail we are under the wheels of Europe's automobile in a moment. Because about one-half of all the heap of stuff we send abroad every year is products of the soil; and as our ostensible credit balance last year, for instance, was about \$400,000,000, if our exports of \$2,000,000,000 were reduced by "bad crops" to \$1,000,000,000, we should be owing \$600,000,000 a year to foreign countries instead of their owing us, and soon be in the midst of a panic. And "bad crops" would immediately follow the "revision" of the dike. This

is a vicious and quite unnecessary condition of things, your Honors. There is no sound reason, unless to increase the commissions of the Importing Trust be a sound reason, for our constantly rising imports of manufactured goods. More, your Honors, there is no reason whatever, except a reason which spells profit to these wily plaintiffs, the Importing and the Exporting Trusts, and at the expense of the whole country, why we should import a penny's worth of anything at all. As we have said before and now say again in all seriousness, we can easily produce a satisfactory substitute for, if not the exact counterpart of, everything we now import. And this statement extends to coffee, tea, and spices. But we are in perpetual bondage to foreign countries in order that the Importing Trust may get richer and richer at our expense and our Exporting Trust may learn deeper and deeper lessons in its text-book of treason. We are made the foot-ball of weather and foreign diplomacy by being tied down to "crops" as the pivot of our prosperity. And yet "crops" fail at the time they are most needed and for a good reason. They never were known to fail until the dike was broken down. The breaking of the dike kills American demand in the way we have explained before. That makes prices too low for profit, and the farmer does not see why he should work for nothing any more than the manufacturer. Why should he sweat himself thin just to send more "crops" to Europe at Europe's own price and keep "the balance of trade" favorable for our bankers and the Importing Trust? So when prices drop, the American farmer drops, and the "crops" drop, too, at the very moment when, by compelling us to buy goods abroad, the wily plaintiff, the Importing Trust, has created

the need of even greater "crops" to "balance" the damage it has done. This accounts for the frightful swing and sweep of panic among us when the dike is broken down or "revised." Yet, your Honors, see by what shrewd shuffling the wily plaintiff tries to fool our people! The dike is broken first. American demand for farm produce instantly follows; and low prices drive the American farmer to gunning for woodchucks instead of planting potatoes, corn, and wheat. The "crops" lie down. Imports go up with nothing to call their bluff. Panic overwhelms us. But the wily plaintiff shuffles the pack so the panic card turns up in his hand after the "short crops" card, and he says, "See! Short crops drew out panic!"

A wise policy would so distribute our property-production that there would be no surplus for export. We would raise all our own sugar, for one thing, putting a prohibitive tariff-dike up against Cuba and all other sugar-producing countries; and we would do the same with rice and tobacco; and follow with a good export tariff on cotton and a prohibitive import tariff both on raw and manufactured cotton. We would also gradually prohibit the importation of wool and double our tariffs on manufactures of wool. We would prohibit the importation of steel in any form and place an export tariff on all its products. The importation or exportation of ores of all kinds should likewise be prohibited. And so we would go over the list, gradually increasing the tariffs on every manufacture; prohibiting the importation of every staple of the soil and every food product; and placing an export tariff on everything now exported in large quantities, and especially on all articles which are habitually sold abroad cheaper

than at home. In this way our own people would have the benefit on the one hand of all the employment necessary to supply our own wants, which would make wages high; and of limiting largely to the domestic market the sale of supplies arising from our own industry, which would make prices constantly lower until they reached the point where a lower price would cause the emigration of capital, where they would stick. Your Honors, we cannot too seriously impress upon you the great importance of turning over a new leaf in this matter. These wily plaintiffs should be sent to the tail of the procession. They are leading our country into a bad morass. They breed in us a sort of conceit best adapted to keeping us docile in their service. They tell us about "un-exemplified supplies of raw materials" and say we are destined forever to be "the granaries of the world." And so they brush and curry us and feed us sugar from their hands. Nobody has such wheat fields; nobody such cotton soil! Our cattle ranches beat the sun, moon, and stars and all the planets! We are simply immense! Did you ever stop to think, your Honors, what it was that, in the mind of the wily plaintiff, makes us such good fellows for purveying to Europe, sending her our wheat, and corn, and cotton, our beef, pork, and other provisions? Simply because as long as we will feed Europe, she will be perfectly willing to do our manufacturing. It pays to manufacture and it don't pay to feed the manufacturer at the manufacturer's figures. But that is what we are doing for Europe. We are wasting the very royal substance of our noble country in feeding aliens to destroy our industries. If we should get the prices at which alone it would pay us to export it, Europe would

not buy it of us. She would raise her own food. She has land enough to do it; and to do it, all she would need to do would be to put a portion of the power she now puts into her manufacturing upon the transformation of her gentleman's parks and shooting preserves, her swamps and her forests, into grain fields and cattle farms. The wily plaintiff, the Importing Trust, through its learned counsel, has told you that Europe would starve if we shut off her food supply, for we are the onliest only food-producer in the world. All rot, your Honors. The Importing Trust says so because the Importing Trust does not want us to shut off its commissions by building factories instead of grain-elevators. It has been on the job of collecting tribute from us as colony and State, for a couple of hundred years or so, and it has succeeded tolerably well in making the thoughtless think there is something like a divine right in its hold on us. As long as it was big enough and we were little enough, it bullied us outright and made us carry water to its mill. But now that it can paddle us no more, it hypnotizes us. That is the course taken in all its newspapers. There is no argument in the discourse you read about "revising" the tariff. They do not state a single fact to back their glittering generalities. They merely suggest the imperishable perservance of foreign trade. They assume it is the thing, and the only thing we have to look to for happiness. And by these suggestions they breathe into the million the feeling that foreign trade is the whole show. This is the tone of all the large bankers and brokers in our seaboard cities. The boards of trade almost universally fiddle on the same string. The orator from whom we quoted

about the "practically certain recession in trade" and who drapes in the impenetrable cloud of Olympian mystery the whole fact of the killing effect of imports upon our business activity, is a distinguished banker in one of our great seaport cities; and his whole oration is based on the unutterable unutterableness of foreign trade as the key to American development. This seems as true to these people as it is false in fact. They have been reared in an importing atmosphere. They think in terms of exports and imports. The "money market" is believed to be dependent upon the "crop report" as showing our probable balance of credit in foreign hands. But the fact is, your Honors, this country is great in spite of foreign trade, not because of it; and it is great only in the proportion in which its sagacity is great enough, by an adequate tariff dike, to shut out cost-20 foreign goods from its cost-100 domestic market

To encourage exports, your Honors, is to encourage a non-symmetrical unfolding of our economical life. This means disaster in the near future. Instead of exhausting our soil only enough to feed our own people, we are boasting that we "are feeding the world," as counsel for the wily plaintiff, the Importing Trust, said in your hearing, an hour or so ago. Instead of raising only cotton enough to run our own mills, we think it a great feather in our cap to raise enough for Europe besides. But Europe is laughing in its sleeve; for the only reason it does not raise its own cotton through its African and South American dependencies and allies, is because it pays better to spend its money in cotton factories, make up our cotton into goods and then send

them back to us. And so we go on exhausting in a century stores that should last us a thousand years at least; and all the time we are giving the other fellow the best end of the job. For we send him a bale of cotton for which he pays us X dollars; and from that same bale of cotton he returns us cotton manufactures for which we pay him $X+Y$ dollars. He keeps us at work hoeing corn to feed his pigs which he slaughters and sells back to us for twice as much money as he paid us for the corn that fattened them. Meantime, he is doing a work which raises him higher and higher while we are wrestling with a job which keeps us most of the time in cow-hide boots and blue-over-alls. Our service comes very cheap to him; his very dear to us.

But this is not all, your Honors. In this purveying to foreign needs, we get a distorted development. If we raised food for our own people alone, we would not employ a larger force than necessary to that end. But if we furnish food for the world, we draw off into our food-making industry a disproportionate number of our people. Now if we kept only enough farmers in the field to farm for us, they would never lack a market. But if we trained a great army of them to work for Europe, and Europe should take a notion some day to do her own work in that line or buy it elsewhere, what would our army of farmers do, being thus out of employment? For employment means grub; and in this problem of national happiness, your Honors, we are dealing very largely with stomachs which on pain of their otherwise going on strike and putting their owners out of business, have to be filled several times every twenty-four hours. This matter of domestic trade

is, after all, a very homely, and we are afraid to some of our broad-clothed, free-trade doctrinaires, a very vulgar business; but upon it depend our hearts and homes and hopes.

For all these reasons, your Honors, we believe that we should "cut out" foreign trade altogether and with it our dependence upon "crops" as our one source of happiness.

XXI

THE ATTEMPT OF THE WILY PLAINTIFF, THE IMPORTING TRUST, TO AROUSE OUR PEOPLE AGAINST AMERICAN PRODUCTION, MISNAMED "THE TRUSTS," IS THE MOST INFAMOUS AND DEADLY OF ALL ITS METHODS OF DESTROYING THE TARIFF DIKE, LEADING, AS IT DOES, TO CONTEMPT FOR PROPERTY RIGHTS ON THE PART OF THE IGNORANT, AND OFFERING, AS IT DOES, TO UNPRINCIPLED POLITICIANS AN OPPORTUNITY TO BLACKMAIL OUR MOST IMPORTANT INDUSTRIES UNDER COLOR OF PROTECTING THE PEOPLE AGAINST "PREDATORY CAPITAL."

Your Honors, we have shown you some of the veils of mystery with which the wily defendant, the Importing Trust, drapes its attacks upon the savings-bank fund of our people. We have explained how "scarcity of money," "over-production," "over-trading," "over-speculation," "corner in gold," "high price of gold," and "bad" or "short" crops are held up to explain hard times and panics which result immediately from a "revision" of the tariff dike. But there is one other explanation which the wily plaintiff makes, both

for panics and hard times when the dike is down, and for high prices when the dike is up. We mean American Production, our client, burdened with the name of "the trusts." It is a part of the religion of the wily plaintiff, the Importing Trust, to trace directly to American Production every ill to which this country is heir. This has been so almost from the very day of the landing of the Pilgrim Fathers at Plymouth. For example, it blames present high prices on to "the trusts." But since our tariff-dike was mended in 1897 by the Dingley Law, there has been all over the world a general rise in prices. Now there is no doubt, your Honors, that our mended tariff-dike caused this general rise. For it set at work again at good pay our millions of wage-producers and so poured a great flood of wages upon our domestic market in a constantly rising demand and our wave of prosperity was felt "round the world," and prices began to rise universally; because, though, while acting as a dike, the tariff kept out a large part of the ocean of foreign surplus products, nevertheless, while acting as a dam, the same tariff failed to keep in the country all the wages paid to our wage-producers, and it was the money of our wage-producers going out in return for foreign goods coming in through our leaky dike, which caused the world-wide rise in prices; and yet the whole thing was laid to the American "trusts," otherwise our client, American Production, who was represented as "entering into combinations in restraint of trade" and "extorting" and "exacting" dreadful prices from the poor people, every mother's son of whom was "extorting" and "exacting" a higher price for his merchandise, namely, the labor of his hands. It was all

right for the price of wages to rise. That was approved by all American patriots. But when the price of other things rose, it was "the trusts" who were "extorting" and "exacting" robber tolls and tributes. Oh, consistency, where is thy jeweled form! Oh justice where are thy scales!

But the point is, your Honors, that the "trusts" did not put up prices. Prices went up all over the world and from the same cause, namely, the increased demand for goods because of the increased wage-payments to labor. Where would be the equity in compelling the "trusts" to sell their goods cheaper than others sold their goods? Prices had gone up and, for what they bought to work into their goods, they were compelled to pay higher prices. Who should say that they had not the same right to get back in the price of what they sold the higher price they paid for what they bought?

The wily plaintiff, the Importing Trust, by its learned counsel, also says that the "trusts" sell abroad cheaper than at home? Your Honors, since when were the laws repealed which gave people, "trusts" or not "trusts," the right to sell their property at any price they pleased? Are those who sneeze when the Importing Trust takes snuff willing to have the Importing Trust step into their private affairs and fix the price also at which they shall sell their goods? This criticism of the "trusts" for selling where they please, when they please, and at what prices they please, so long as our laws remain unchanged, is criminal impertinence which every decent American citizen should resent. There is one thing certain, your Honors: If you could inspect the brain-cells of people who take kindly to this arraignment of

the "trusts," you would find them very much like the brain-cells of many other people, commonly called "pickpockets," who also have derived the notion from some source that they have a right to take the property of others at their own appraisal.

But about this "selling cheaper abroad than at home" again: Do the disciples and followers of the wily plaintiff, the Importing Trust, imagine that "the trusts" sell abroad at lower prices than they must? What is it that has so suddenly breathed into the monster "trust" the soul of a Sister of Charity? Surely, we should clap our hands and stamp our feet with joy at the sight of such a sinner come to repentance and good works. But look at the consistency of the wily plaintiff, the Importing Trust, your Honors! From one side of its mouth it is lashing the "trusts" for selling so cheaply abroad; while from the other side it is barking for a "revision" of the tariff-dike in order that these same "trusts" may get cheaper raw materials from abroad in order to sell abroad their finished products even at lower prices than they are now asking! Isn't the fabric of its feigning altogether too diaphanous for successful deception, your Honors? Isn't this a Walk-into-my-Parlor-said-the-Spider-to-the-Fly song which the wily plaintiff, the Importing Trust is piping to the country, your Honors? Look! It says the dike must be "revised" because the "trusts" are selling things too cheap abroad! And it says the dike must be "revised" because the "trusts" are not selling things cheap enough abroad! The point upon which the wily plaintiff, the Importing Trust, forever fixes its gaze is the tariff-dike which to a certain moderate extent only, dams out of the country the goods of the

Importing Trust; and for every ill which it discovers to be hurting the dear American people its prescription is "revision." Isn't the wily plaintiff too thin, your Honors? Now your Honors, if it were any of the people's business at what price any citizen of the United States of America sold his goods either at home or abroad, the dear people could stop the "trusts" from selling cheaper abroad than at home by putting an export tariff on the goods thus sold, making the tariff equal to the difference between the price at home and the price abroad for the same thing. This could be done without smashing the dike and drowning the country; by this means covetous citizens, who sell their labor in the American market from twice to ten times as high as they could sell it abroad, would have cooled at least one cause of their palm-itching. But, after all, the price at which the "trusts" sell abroad is the market price abroad for such things; and what they sell at home is their market price at home. If it is wrong for the "trusts" to get market prices abroad, is it right for the Importing Trust to get market prices here and for workers who join the Importing Trust crusade against the "trusts" to get market wages at home? Where are we, any way, your Honors, in this casuistic confusion?

One point more as to selling abroad cheaper than at home, your Honors: You have heard of our department store bargain counters, have you not, your Honors? Upon these bargain counters are odds and ends of goods sold far below their ordinary price. Are these bargain counters unlawful and is it wrong thus to sell when, where, and how you can surpluses that might otherwise remain unsold? Or is it wrong, your Honors, to

“clear out” a summer’s stock in order to make way for a winter’s display? Should we be bound to the same prices in all respects, your Honors, and can no circumstances, contingencies, or emergencies justify one’s selling to Tom cheaper than he already has sold to Dick or Harry? Should our department stores be forbidden to have “sales,” during which, mayhap, they sell the same goods to-day for half the price of yesterday? Now, your Honors, if it is lawful for our “trusts” thus to have “bargain counters” and “sales” at home, by what rule is it unlawful for them to have “sales” and “bargain counters” abroad? What is it that learned counsel for the wily plaintiff, the Importing Trust remarks, your Honors? Ah, he says that our people, having nursed these “trusts” to life by tariff impositions, have a right to insist upon receiving the benefit of the lowest prices at which the “trusts” sell. But, your Honors, the learned counsel does not notice the fact that the tariff-dike is absolutely impartial and shelters not here and there a “trust” but the whole people; and if the “trusts” get higher prices at home than abroad it is because they have to pay the people higher prices than the people could get abroad. Isn’t it fair to get back as much as you give? If the “trusts” must reduce their prices to where they would stand if there were no tariff-dike, ought not the people to reduce their wages, too, to what they would get if they competed with the world outside? Is not sauce for the goose also sauce for the gander, your Honors?

Right in connection with this matter, your Honors, we want to illustrate to you once more the subtle ways in which these wily plaintiffs, the Importing and Exporting Trusts, attack the

tariff-dike, in the interest of their respective pockets. The illustration is furnished by a tariff deliverance by a Congressman, Hon. Samuel W. McCall, who is put down in the World Almanac as hailing from Winchester, Massachusetts, born in Pennsylvania, educated at Dartmouth College, by profession a lawyer and in politics a Republican. At any rate he is a firm member of the Importing Trust, judging from his article in the Century for October, 1907, entitled "Outlook for Tariff Reform." In that article he says:

"In certain articles of prime necessity, great combinations have destroyed internal competition"—

a statement, to begin with, your Honors, which is absolutely false. There is not a single "combination" in this country which has even begun to destroy "internal competition." The gentleman who said this was looking through Importing-Trust spectacles colored blood red. But to continue:

"have destroyed internal competition and with reference to such articles the tariff wall serves the purpose of shutting out the succor that might come from abroad."

Yes, your Honors. We believe he must have been educated at Dartmouth and have drawn in with the milk of his alma mater great, soul-filling drafts of inspiration about the "markets of the world." Continuing:

"Those who are interested in that sort of a discourse may discuss the genealogy of the trusts, but the man whose pockets the law has just helped monopoly to pick cares little whether the tariff is called the mother or the grandmother of the trusts."

Said bravely, your Honors. But we think the World Almanac must have omitted one McCall; for there

seems to be two. This could not have been Hon. Samuel W. McCall, marked "R" and said to hail from Massachusetts. The one who wrote these words must hail from Mississippi and be the congressional understudy of John Sharp Williams. Continuing:

"It matters little to him whether the law creates the implements of plunder or whether it seizes the victim and delivers him over bound for the operation."

This sounds more like a Democratic stump speech against protection than like a serious contribution to a reputable magazine, your Honors. We have all heard precisely these same words before many, many, many times; but from people who did not masquerade either as Republicans or Protectionists. Continuing:

"But the fact cannot be doubted that, in some lines of manufacture in which we are able to compete and do compete with foreign producers in their own or neutral markets, a combination, in the absence of internal competition, is able to require the American consumer to pay the full foreign price with the duty added. In such a case, the simple effect of the duty is to make it necessary for the consumer to pay tribute to the manufacturer."

Your Honors, we have observed that this man is a lawyer. We would not like to know the size of the retainer paid him by the Importing Trust to plead its case so eloquently. But in writing such stuff as this, he smashes himself all to pieces as even a pretended protectionist. He evidently belongs in the coterie of President Roosevelt and the rest of the German Agreement crowd. He does not believe in living up to the very weak and diluted protection promises of the Republican platforms. They promise the American workman a tariff, not that will give him his own domestic

market as against all comers, but one which will give him as good a show to fight for what is already his own as the alien abroad has to take it from him. The "duty" was promised to be great enough to equal the difference between American and foreign wages. That is, so high that those who bought imported goods in this market should pay at least the foreign market price, and the "duty added." This is what our brave Congressman kicks about. He does not want to pay the foreign price "with the duty added." Living in America, getting American fees and American comforts generally, he wants to buy foreign goods at foreign prices, with the duty "not added;" that is with the dike "revised" and such as he allowed to pay others foreign wages, while getting American wages themselves. But our Congressman will say: "You don't understand my point, which is that the manufacturers are our protégés; we make a tariff for them to work behind because they can't work without it. We give them the privilege of getting higher prices here than they can abroad and they ought to reciprocate the favor and give us lower prices here than they get abroad; or, at any rate just as low prices as they get abroad. But now, since they have gotten cocky and are charging us higher prices than they get abroad, I say tumble down the tariff dike and make them work for us as cheap as they work for foreigners or go out of business." Your Honors, this is about the gist of what our Congressman would say. But he is about as thick as a lath and as broad as floor-crack in the way he understands this tariff question. We put a tariff on foreign goods for the benefit of the whole country and as a general principle, not as a favor to

any manufacturer, either in Massachusetts or Mississippi. We want done here the business represented by the money piled up in the mill. We want employed here the people employed in making the goods which our people want; and we want the wages paid for making goods of that kind spent by our workers right in our own stores here and not by alien laborers in stores abroad; and because some American manufacturer sells his goods in a weak foreign market at a weak foreign price, we don't want to make blithering idiots of ourselves and smash all this American business with a smashed tariff dike. Nobody but a vassal of the Importing Trust would waste his breath with any such drivel.

And, then, our Congressman paints himself all over "Free Trader" in bilious green letters, when he utters the kind of nonsense he uttered in the *October Century*. If he believes in smashing the dike to drown out the fellow who can sell cheaper abroad than at home and does so sell, he believes also in doing the same thing to the fellow who could sell cheaper abroad than at home, and don't so sell for fear Congressman McCall will "peach" on him and get Congress to rip down the tariff-dike and drown out the whole country. For, as we have said, we do not take it that Congressman McCall would destroy an American manufacturer's American market just for revenge or for mere punishment, so the manufacturer would not do it again; but only because, in his opinion, selling abroad as cheap or cheaper than at home would prove that the infant industry had grown up and no longer needed the nursing bottle of "Protection." And that would be proven just as well by getting President Roosevelt's Bureau of

Corporations to look over the manufacturer's books and, finding that the manufacturer if he chose, could sell abroad cheaper than at home, and still not go out of business, as it would be proven by the fact that he had already done so. So that, if Congressman McCall is not talking for a fee or for buncombe, the first thing he will do when he gets the congressional floor will be to introduce a bill authorizing and directing said Bureau of Corporations to sit in judgment on the profits of all our manufacturers, to the end that a law may be passed stripping of tariff protection all manufacturers who if they wanted to, could sell abroad cheaper than at home.

If he does not do this, another good man will have been snared in by malefactors of great wealth or by the conspiracy of rich men.

When you stop to think of it, your Honors, the logical result of Mr. McCall's reasoning would be to take off the tariff on everything the American producers of which sold any of it at all abroad. Because, to sell abroad, whether at a lower or a higher price than at home, proves that foreign competition is powerless not only to pay ocean freights and take our domestic market from us, but, paying no freights, to keep us out of the foreign market. Now, Mr. McCall would say, "What is the use of your dike if the foreigner can't keep you out of his own market?" Well, we export an infinite variety of goods in small quantities, sweepings of our shops, etc., besides some things like raw cotton, wheat, apples, provisions, etc., etc., in very large quantities, and if we followed Mr. McCall's rule, the tariff would come off of all these things we export, no matter if they were only sweepings sold at auction rates.

Another thing, your Honors. Mr. McCall does not claim that these wicked combinations of which he speaks in the October Century are paying their workers only European wages. The fact is that they are paying American wages, which, in some branches are from three to four times as high as European wages. Now what Mr. McCall is rooting for with all his might is that these manufacturers should have an opportunity to pay foreign wages on goods sold in this market. For, take off the tariff, and our manufacturers would cut down wages here to the level of foreign wages, plus the expense of getting goods from abroad to this market; if they did not, they would not be business men. For all it would cost them to get their work done at foreign wages would be those wages plus the expense of getting goods here from abroad. Because our manufacturers could supply their trade with ready-made goods straight from abroad, either from their own plants already located others, or by contract with foreign manufacturers. A great many manufacturers are doing it in part now. And this accounts for our great importations of partly manufactured articles, which is only a partial development of a business which, with the tariff-dike "revised," would find its full development very soon. We think it likely that Congressman McCall, in writing as he does, is pleading the case of certain Massachusetts manufacturers who already buy ready made in Europe, at the European wage-level, parts of their product which they assemble here; but who, seeing the great profit in thus getting a part of their work done in Europe, are anxious to have the dike "revised" so they can get it all done there, and resolve themselves into

mere assembling establishments, or, the parts also being assembled in Europe, into mere American selling agencies of their European-made goods. Now, the only thing in the world which prevents this thing being done wholly and not in part, as now, is the very weak tariff-dike which we already have. This illustrates what we are trying to impress upon this Court, and that is that this country is and always has been exploited by these wily plaintiffs, who are mere peddlers after all, having no love of country or home, ready to be changed from Exporter to Importer or vice versa, at a moment's notice; that is, from a builder of American factories to a destroyer of American factories, in accordance with the showing of their profit and loss account. They are two practically dumb and dead forces, like the force of gravitation, arising as they both do from the instinct of self-preservation. And what we are pleading for, your Honors, is that the same force which drives these wily plaintiffs into such tremendous activity, piling up wealth, as it does, within a comparatively narrow circle, simply by fomenting the sentiments and prejudices of the people to adopt such laws as, by destructive competition, will segregate our national wealth from the workers, and gather it in the hands of the members of these wily plaintiffs—that this same force which works such marvels for these wily plaintiffs may be harnessed to our own national and communal reaper and pile up wealth for the widest possible distribution among the people of this nation. This is what would happen, if we raised a dike so high on the one hand and a dam so high on the other that no American jobs would leak away for foreign workers to do to the lowering of our wages,

and no American-made goods, the natural property of those who made them, would leak away to foreign countries, to our impoverishment in goods and the increase of our prices.

It seems, your Honors, as if, after all, this matter of punishing manufacturers for selling abroad cheaper than at home had nothing to do with the necessity of the tariff dike. We raise tariff dikes, not for individuals, but for the country at large. The business made by the wants of this country is the property of its citizens. It is yours, your Honors, and ours. To destroy the dike is to disperse this business abroad. Whatever any one or any hundred and one manufacturers do with their goods abroad has nothing to do with the case. We ought not to destroy our country to get square with individuals who, it is rumored, are getting a good thing by manufacturing here. What would you think, your Honors, of the Hollanders, if, because some provision-dealer there handed across their dikes to here and there a foreign boatman on the outside rancid butter at lower prices than he asked for good butter from his own countrymen, the Hollanders should avenge themselves by tearing down all their dikes and letting the sea swallow up their country. Congressman McCall is too absurd, your Honors. He ought not to expect sensible people to believe for a moment that the real reason why he wants the tariff-dike destroyed is to get square with the wicked manufacturers.

Ah, your Honors, counsel for the wily plaintiff, the Importing Trust, asks the indulgence of the Court to make another interruption of our argument. He says that while, by the tariff-dike, prices of goods here are hoisted too high the wages of the people are not affected by the tariff-dike but are

fixed by the richness of the country's natural resources and the ease with which "raw materials" can be worked into wealth. He says in this regard America has no peer; and just as long as the natural treasures of the country are "economically utilized and safe-guarded from vandalism" the American pay-roll will be the largest in the world. Ah, your Honors, if "America has no peer" in its stock of cheap raw materials, why does the wily plaintiff, the Importing Trust, turn heaven and earth, backed with all the might of the wily plaintiff, the Exporting Trust, to have the dike "revised," so raw materials can be admitted free for use in Exporting-Trust products in "conquering the markets of the world?" We believe we have asked this question before and do not remember having an answer from the learned counsel whose interruption we are now replying to.

What does he now say, your Honors? That the "superiority of our labor and its greater skill and efficiency supplement our raw materials in establishing a pay-roll without an equal on earth," and a pay-roll which is in no wise indebted to the "Chinese Wall" of a tariff which girdles the country. That is distilled honey for American labor, your Honors. With our skill in cerebral inspection, your Honors, we verily believe that, if the learned counsel really believes that statement, we would find a bunch of honey bees occupying his bump of causality instead of virile brain-cells. But he does not believe it, your Honors. It is all in his fee and not in his head—this argument which simply makes ducks and drakes of the old economic law relating to the ratio between supply and demand. You know, your Honors, fully as well as we, what that old law is. With demand

and supply equal, your price remains the same. With demand larger than supply, prices rise. With supply larger than demand, prices fall. That, in its essence is all there is of it; and it is just as true as the multiplication table. Let two customers bid for the same supply, and the one who gives the higher price gets the goods. Prices rise. Let two sellers offer to one and the same customer the same goods, and the seller sells who will sell the lower. Prices fall. This rule applies to men, women, and children selling their labor in the same way that it applies to other people selling goods. And yet counsel for the wily plaintiff says that the tariff-dike, which prevents the American supply of labor, amounting to about 20,000,000 hands, large and small, from being increased to 200,000,000 million hands, without any increase whatever in demand, has no effect in maintaining American wages! We do not like to be disrespectful, your Honors, but we would much like the opportunity to measure our learned brother's head—that is, if he really believes his own statement. We have explained to you before the disparity between American and foreign wages. Our learned brother did not dispute us, when we fixed the outside world at wage-20 and our own inside world at wage-100; and we believe that he agrees with us that, for all practical purpose our figures are near enough to the fact. Now, your Honors, what would happen if, at the door of some factory of ours where they paid their workers \$2 a day apiece, some cold morning there presented themselves a body of workers as to numbers and skill, exactly like the workers inside, who offered to work for 40 cents a day apiece. Suppose the pay-roll of the mill were now \$200 per day, and

its owner could hire this new gang of men at a total of \$40 a day—by what rule of business would you say he went by if he did not go to his workers and say, “Either you will have to work for 40c a day apiece, or I must hire these other fellows at that price. I cannot afford to lose \$160 a day because of my kindness of heart?” But put our whole country in the place of the single mill, your Honors, and let the mill-owner be represented by the national sentiment which has consented to dike “revision.” Suppose the dike has been “revised” and no longer prevents competition between the worker at wage-20 in the outside world and the worker at wage-100 on our inside world. There is now no sentiment to prefer domestic workers at wage-100 to foreign workers at wage-20; for the tariff-dike was the only form in which the people expressed that sentiment and they have now done away with the dike. So now it is “Every man for himself and the devil take the hindmost!” What happens your Honors? Does the country consent to buy with its savings labor at wage-100 when labor is offered by the Importing Trust in the form of all kinds of goods at an average of wage-20? Well, your Honors, in order that what counsel for the wily plaintiff, the Importing Trust, says, could be true, namely, that wages are neither increased, maintained, nor decreased, because of the presence or absence of the tariff-dike, it would be necessary that the nation, as one mill-owner, should throw away the difference between the cost at wage-100 of our manufactured goods, say \$17,000,000,000 (their cost to us in 1906) and their cost at wage-20 or \$3,400,000,000, that is, a difference of \$13,600,000,000. Now curiously enough, if we buy the same amount we

bought in 1906, our present savings bank fund is just about enough to buy a year's supply of manufactures at cost-20. We might live a year with the dike down and enjoy the riot of cheapness permitted by the incoming of foreign goods at cost-20. But after that we would have to work or starve; for our savings would be gone into the hands of the wily plaintiff, the Importing Trust. And will counsel for the wily plaintiff say that, facing starvation, our wage-producers, if they desired to get back their jobs which then would be in the possession of foreign wage-producers all over the world, would not be compelled to work at wage-20? What in the world would force wages back to their former level here but a new tariff-dike which would shut out the deluge of foreign surplus products and so reduce the supply of labor to the size of the demand here?

Your Honors, we appeal to you whether or not, under the circumstances we have described, or even if the outside world would not work for less than wage-90 instead of wage-20, there would be any way to prevent our own wages falling to wage-90, except the erection of a dike damming out wage-90 products.

After all, your Honors, the dike, is merely a coffer-dam in the great world-wide sea within which our own people can labor, so that wages and prices may be fixed by the ratio of local supply to local demand, without reference to the outside world. Sweep away the dike or the coffer-dam and our wages become a part of the one confluent sea which seeks the same level the world around; and we would eventually be forced down with the rest of the world to about wage-20.

And wage-20 in our latitudes would not sustain life.

We think, your Honors, that, whatever counsel for the wily plaintiff, the Importing Trust may pretend to the contrary, we have convinced him that the wage-producers of this country have nothing to say against the "trusts" selling more cheaply abroad than at home. We think he will agree with us that, if the "trusts" get higher prices here than they get abroad, the workers or wage-producers, or in the language of the learned counsel for the wily plaintiff, the "consumers," get wages as much higher than the wages they could get abroad as the "trusts" get prices higher than they get abroad; and that, if it is wrong for the "trusts" to get higher prices at home than they get abroad, it is equally wrong for the "consumers" to get higher wages at home than they can get abroad. And if the tariff-dike prevents competition from abroad in our markets and enables the "trusts" to get prices from the "consumers" higher than prices abroad, the same tariff-dike prevents competition in our market from foreign labor and enables the "consumers" to get wages higher than they could get abroad. But, your Honors, why should counsel for the wily plaintiff, the Importing Trust, be thus partial in his championship? Why should he be more indignant because our "trusts" sell more cheaply abroad than he is because all other countries "trusts" sell more cheaply in our market here than they do in their own domestic markets? For that is what they do all around the ring, your Honors. Is it not tit for tat, your Honors, and is it not right that, when these foreign "trusts" attacking the home market of our "trusts" with lower prices than the foreign "trusts" get at home, our "trusts" should balance the account by attacking the home markets of

these foreign "trusts" with lower prices than our "trusts" get at home?

It strikes us, your Honors, that the entire argument of counsel for the wily plaintiff, the Importing Trust about the high prices of our "trusts" is weak. Who are these so-called "trusts," your Honors? Simply the whole force of American Production. Together they make up the entire fabric of industrial activity in this country. For it should be remembered that the word "trust" employed in the sense intended by the Importing Trust has no application to any particular industry in this country. The term is one of odium selected by the Importing Trust by which to brand every American industry whose competition it fears. It is applied without discrimination to any branch of American Production which the Importing Trust particularly wishes to destroy. The "trusts" are American Production, and American Production is simply the whole active business and industrial country. Therefore, when the Importing Trust accuses the "trusts" of raising prices, it accuses all the industries in the country of raising prices; and the inference is that prices are raised arbitrarily from pure "greed" as the Importing Trust describes the asking of a profit on the part of any block of American capital. Now, your Honors, we repeat that this rise in price has been a general one; and we inquire whether or not it is sensible to suppose that the American "trusts" have raised prices merely for fun of paying the high prices themselves. For all prices have risen; and the "trusts," in their various branches of work, are obliged to pay these very prices themselves for the materials they buy to make up into their own sorts of goods; and among these ma-

terials so raised in price is the most costly material which goes into goods, viz., human labor.

As a matter of fact, your Honors, those who have any business experience at all know that the last thing any American producer wants to see is a rise in prices. That means a fall in sales and a corresponding fall in profits. In competition throughout this great country, a rise in the price of any article, whether of food for the wage-producer or material for the property-producer, brings uncertainty and perplexity for the property-producer. He does not know how his competitors are going to deal with the matter in order to balance the increased cost of producing without handicapping their goods with a higher price in the market. Instead of being the fiends who make prices high, your Honors, our "trusts" are timorous spirits to whom high prices are vicious demons.

You all know, your Honors, how the wily plaintiff, the Importing Trust, breathes discontent into the hearts of our wage-producers by showing schedules of prices which have risen while wages have been rising, and saying that the rise in prices more than balances the rise in wages and that the wage-producer, if he had to pay merely the old prices, would be better off with his lower wages. Your Honors, this is one of the most cruel things to which the Importing Trust is driven in its struggle to block American Production. Its argument is a cheat. It quotes the percentage of increase in wages and over against it the increase in prices; and because one percentage is greater than the other, tries to make the wage-producer think he is being made poor by the higher prices. The trick of which the Importing Trust is guilty in this move would hardly do credit to a patent-

medicine vender under his smoking torch in a public square. The hole in the cheese is in the fact that the wages at their higher rate apply for every hour in the day and for every possible working day in the year; whereas the higher rate for food applies only to three meals a day for no more days at the higher wages than at the lower; and the higher rate for clothing applies merely to two or three suits a year; and the higher rent only to the same shelter that was necessary at the lower wages and the shorter time. In other words, your Honors, the same items being considered, from the year's total earnings deduct the year's total expenses, and you are left with a very much larger balance for the savings bank or for comforts, than you were left with when the old prices were deducted from the old wages. It is a very cheap trick, your Honors, which the Importing Trust shows us here. And a further proof of its wickedness is the fact that our savings banks now hold nearly four billions of dollars saved by people working at the wages brought by the mended dike; and the flood of savings is still pouring into the banks all ready to flow backwards into the hands of the Importing Trust when it succeeds with dike "revision."

Your Honors, we know that the wily plaintiff, the Importing Trust, has a favorite spear which knows no brother in saying that, if you shut the country up with a very high-tariff dike, you abandon all our people to the rapacity—we believe the word is "rapacity," your Honors—to the "rapacity" of the "trusts," because they have already throttled competition and are "screwing up"—*aufschrauben*, we believe the Staats Zeitung says, obeying the German steamship lines and attack-

ing our dike—at any rate, are “screwing up” the prices and “exacting” and “extorting” and a lot of other horrid things from the American people.

In the first place, your Honors, if the “trusts” are breaking any law, they should be restrained. But if they are merely selling their own property at their own prices, the same as you and we would do, your Honors, these people who are thus attacking them should be punished for sedition and conspiracy. For we should never forget, your Honors, that we are all poor creatures who have, at the very best, but very weak if not wicked stores of brain-cells and that the “trusts” are no more likely to get our money by making prices too high than we are to get the “trusts’ ” money by making prices too low. The law is there to determine this very thing, viz., whether the “trusts” are trying to filch our property or we are trying to filch the “trusts’ ” property. The “trusts” are just as good and no better than we are. We are just as bad and no worse than they are. When it comes to talking of “greed,” “voracity,” “extorting,” “exacting,” and such things, honors are easy. Now it seems to us, your Honors, that, under these circumstances, we and the “trusts” might better call it a standoff. That is, we might better let the “trusts” alone to deal with their property in the way the law allows and not cry out “extortionist” when it figures out that, to come out even, it will have to get a little more money for its goods today, with its running expenses higher, than it did yesterday, before the rise in their expense account; and we will pay their prices or not as we please; and we dare say that, in exchange for this courtesy on our part, the “trusts” will be quite willing for us to fix our own price on goods we sell to

them, which they will pay or not as they please. For, your Honors, we each have the privilege of buying the other's goods or leaving them. If we don't want their goods at their price and they will not sell at our offer, we can leave the goods in their store; and if they don't want our goods at our price and we will not sell at their offer, they can leave the goods in our store. There are plenty of other stores for us and for them to buy goods in, the Importing Trust and its list of American "trusts" and "combinations" to the contrary notwithstanding. Do you know what your Honors? This country would be overturned in a minute by a dollar watch if the prices of the "trusts" were not prices we could refuse to pay and still live and be good citizens and not common hoodlums, by loud bawling trying to get somebody else's profit.

The fact that we worry along so prosperously, fill the savings baks so full of our savings, and our stomachs so full of sirloin steak, is proof that we who vilify the "trusts" because they ask a price which makes it as profitable for them to sell as for us to buy, have a bad case of itching palm. We need a change of heart and a dose of the Ten Commandments; or we ought some day to land in jail.

Now, your Honors, one more word on this head. The only respectable criterion of whether the "trusts" or we are robbing somebody is the law of the land. Before we howl about the "trusts" robbing us, we might better go to the law in the case and see whether, in the penal code, what the "trusts" are doing is described as "robbery." If it is, we should file our complaint with the district attorney and furnish him proofs. Then the

"trusts" can be punished in due course. The law will test the question and classify the doings of the "trusts" as they deserve. But if, while the penal code contains nothing which condemns their doings, we, without making any orderly complaint at all, go up and down the land roaring out against "predatory wealth," "malefactors of great wealth," and "bad corporations," charging the "trusts" with "extorting" and "exacting" things which they have no right to, we convict ourselves of manufacturing crimes to fit those whom we wish to destroy in the public mind, of playing the cheapest kind of politics, and, generally, of such conduct as exposes us to the suspicion of meaning to blackmail the "trusts." Especially is this true, if, occupying any position of power, we have it within our reach, by means which will not drag us into the matter, to persecute "trusts" who refuse to be "touched."

Your Honors, the wily plaintiff, the Importing Trust, says that but for foreign competition, the kind that lines the pockets of the Importing Trust, all the producers in this country would unite in a great big "trust" and choke us all to death with high prices. That sounds either like what some fellow says who either knows nothing about business or who thinks those he says it to know nothing about business. But, your Honors, those who know about business and speak to others also supposed to know about business, say it is not because the "trusts" want to raise prices that they are formed—the "trusts" are merely large corporations, your Honors, usually made by consolidating two or more smaller ones—it is not because the "trusts" want to raise prices that they are formed. but because prices want to raise them so high that they would be a total loss if they rose. In other words,

"trusts" are not formed until, from competition, conditions are such that it is only by consolidation and the reduction of expenses by the economies which come from buying and selling in the gross, that they can put out goods at prices low enough to keep them in business. So that the existence of "trusts," your Honors, is a sign of economy and of the fact that the public is getting the goods of the "trusts" cheaper than before the "trusts" were formed. This fact is notoriously true of the celebrated Standard Oil Company. Their products are retailed at prices but a fraction of what they were before this tremendous system was formed and all its thousand economies effected. Kerosene selling from 12 to 16 cents a gallon should make any one blush to "kick" at the Standard Oil Company as a monopolist. Its product is carried hundreds of miles, highly refined, and then sold to the consumer at a lower price per gallon than milk, which the farmer a mile away brings you daily.

In our consideration of the "trusts," there is one thing to be remembered, your Honors, and that is that the great majority of them are very conservative business institutions and that they represent capital secured by bonds which must earn interest, and stock upon which dividends should be paid; and that they are limited to those methods which give the surest returns both to the bondholder and the stockholder. Now, your Honors, to secure a proper return for these objects, besides a sinking fund for betterments and repairs, these "trusts" require that their hold on the market shall be steady. Knowing this and what it means to pass dividends or default interest, these "trusts" have a sort of horror for shrink-

ages in sales; and the thing most likely to shrink sales is a higher price, which often means a shrinkage in sales out of all proportion to the increase in price. Perhaps there is nothing more unjust than to charge the "trusts" with arbitrarily raising prices. For prices are never raised, except from necessity, arising from increased cost of materials, labor, or running expenses; or, under extraordinary circumstances in which demand unreasonably and perhaps speculatively outruns supply, to check sales and preserve stocks for regular trade. In order to bring proper returns on the great body of capital tied up in their business, above all things the "trusts" need stability and reliability of income; and these things never could be secured by constantly sharpshooting with the public in the matter of prices.

Your Honors, we should not forget one thing which works against the voluntary making of high prices by the "trusts"; and that is that prices which leave an extraordinary margin for "trust" dividends, cause competition and the loss of some portion of the regular trade, so necessary to the peace of mind of the "trusts," in the manner just described.

What does counsel for the wily plaintiff, the Importing Trust, say, your Honors? That with the tariff-dike raised high the American "trusts" throttle competition within the country by freezing out the small fry and buying in the large fry among thier competitors, and then fix prices to suit themselves? It seems, your Honors, that counsel for the wily plaintiff will not take our theory of the deadly effect which high prices have upon the income of the "trusts." Then, your Honors, we reply that the result he speaks of has never yet fol-

lowed; and we have been having protective tariff-dikes in this country for a hundred years and more. It is not true to-day, that in any branch of production, the "trusts" have played the octopus. Every "trust" in this country now has strong competition in the shape of effective plants entirely beyond its control and ready to take advantage of any mistake it makes either in production or in marketing its product. If the "trusts" were making a greater profit than they ought to make, these independent competitors would jump in and force the "trusts" to divide profits with them and the public.

There is another fact, your Honors, which the wily plaintiff tries hard to keep in the shade; and that is that the tariff-dike is a great importer of foreign capital, if not a great importer of foreign goods. For you all know that there is no tariff on capital, on the one hand, or on labor on the other. The only thing the tariff-dike requires is that capital doing the work of the country shall largely do its work within the country and employ the labor found in the country. That is, that a fair share of the property-production for the country should help wage-production within the country. But this market, thus partially protected—for it is by no means fully protected, as our rising imports prove—is like a blackberry bush loaded with blackberries, such as we found in the pastures when we were boys; and as we boys all flocked to the same bush to get all the berries we could before they were gone, so both capital and labor, the one anxious to benefit by partially-protected prices, the other by partially-protected wages, come flying into this country to produce property on the one hand and wages on the other. But capital comes faster than labor, and by the competition of the inflowing capi-

tal "the trusts" are forced to lower prices much faster than labor, by the inflowing tide of immigration, is forced to lower wages. Why, your Honors, capital has come in so fast in this way and has bucked the "trusts"—just American Production, your Honors—so strongly that it is startling to see how in this country prices of all manufactured things have fallen in the last fifty years. Formerly England was a monopolist of our market here in a thousand articles; and she charged us very high prices; but the tariff-dike brought capital in so fast and the competition between American plants was so sharp that now-a-days, except to a limited extent, England cannot sell here the kind of goods which have been long protected by the dike, because the cost of passing the dike cuts off her profit. On the other hand our wages have risen very much over what they were when England ruled our market; because the immigration of labor is comparatively slow and the increasing demand for labor from immigrant capital has more than absorbed the immigrant labor supply. Counsel for the wily plaintiff, the Importing Trust, may laugh as he pleases and say, in his stage whisper, "Prices fall and wages rise, what a miracle!" But it is no miracle, your Honors; it is merely from the fact that the tariff-dike makes such strong competition here that property-producers bid against each other on the one hand for labor, and so increase wages; and on the other hand for customers, and so reduce prices. And, as we have often said before, this process will keep on, your Honors, and would go on much faster with a dike which, unlike the Dingley fiasco, really protected the market as a whole. But the good work will go on, if the Dingley dike is not "revised" downward but gradually built upward, until prop-

erty-producers have divided between the public and the wage-producers the last cent but the one necessary to keep property-producers here still in business. And there is one thing to take special note of, your Honors; and that is that this immigrant capital becomes fixed here in plants representing thousands of millions of dollars; and, in order to save it, the property-producers will not run away as long as the tariff-dike returns the cost of their materials and labor in this market, together with as great an interest on their invested capital as they could get abroad. For, they will stand by their guns as long as their plants can be saved as going concerns at a value greater than the loss they suffer from low prices and high wages. But "revise" the dike downwards, expose them to competition with cost-20 from abroad as against cost-100 at home, and the loss of their capital fixed in plants will be small as compared with the loss of their fluent capital; and they will abandon their plants, gather their fluent capital, fly to lands of cost-20, go into business there and send their wares back here.

But, your Honors, it does not seem to us rational that our people should overlook the fact lying right before their eyes, that the tariff-dike, not shutting out capital but shutting out goods, is the greatest possible importer of capital, such importation being directly in proportion to the effectiveness of the dike in protecting our home market from foreign competition; and that, in this way, the tariff-dike offsets its crime of being "the mother of Trusts," and so far as opportunity to "extort" and "exact" high prices is concerned leaves the "trusts" in no better shape than they were before. Isn't it singular, your Honors, that, if it is real honest in want-

ing our "trusts" to have plenty of competition, the wily plaintiff should so hate our innocent dike? Why, your Honors, with a high-tariff dike, our "trusts" are sure to have competition with all the unfixed capital in the world, down to the level of prices where our property-producers work without salaries and merely get the world-rate of interest on their plants. Then, where is the trouble and what is it that torments the wily plaintiff so? Simply here, your Honors, that the dike strains out the most of the goods made abroad and lets only capital come freely through. If the capital alone comes through, the competition with our "trusts" is as great; but in that case the commissions of the wily plaintiff are left asoak in the sea of foreign surplus products outside the dike and never find their way to its strong box. Just a little inspection shows that, as all roads led to Rome in olden times, all execrations upon the heads of the "trusts" no matter how the evil thought is disguised, lead to commissions in the pocket of the wily plaintiff.

When all is said and done, your Honors, there is a certain vulgar lawlessness in all this sitting in judgment on the question of whether somebody is charging too high prices. We think we have shown you where it comes in from the point of view of legal right. But when it is placed under the examining glass of cold business analysis, to cry down another's prices on the ground that that other is "extorting" and "exacting" a higher price than he should, proves to be simply howling to make somebody give up a portion of his profit to the one making the kick. Because, your Honors, nobody would buy anything at all, if he did not think it would be more profitable for him to buy it than not. For in order to make a trade, two minds must meet—

that of the buyer with that of the seller. The price fixed between them must be that at which it is more profitable for the buyer to purchase than not; and at which it is more profitable for the seller to sell than not. Each party must be the judge as to whether the trade will profit him. Now the fact that goods at a given price, whether called high or low, are currently salable, is proof that those who buy are buying at a price which profits them; and if that be the case, when a person sets up a howl at a certain price because he thinks it high, and it is yet the price at which the goods currently sell, what he is trying to do, your Honors, but scare the seller out of his profits? We think this is a correct analysis of the whole situation, your Honors. The only test of whether a price is too high is whether it is so high that the seller can't sell, there being in the trade at that price no profit for the buyer. And when the price reaches that point, the final glut of goods in the market will make the price tumble. Goods are worth what they will bring. To complain that prices are too high is to plead the baby act. The fact that you buy them proves that they are not too high for you. It amounts to this, your Honors, that when any fellow cries out against the "trusts" because of their high prices, he is merely trying to get the public to increase his private profits by frightening the other fellow out of a part of his.

And it is just so with regard to all persons or organizations who, to smash prices, are rooting for tariff "revision"; they are only trying to make the public grind their private axes. For they are making a good profit already; or there would be no current market price of the sort they are raving about; but they want the other fellow to lower his price

in order that their own may be raised. That, in a pint measure, is the whole philosophy of the rage about "extortions" and "exactions" on the part of the "trusts."

Your Honors, there is another question we must ask in passing. Why do not all our clergymen, our philanthropists, and our honest political economists throw away all their other plans for the better distribution of wealth and stand for work at living wages; and to that end root like sensible men for a dike so high that the last pennyworth of work to be done for our people here shall be done by our own wage-producers? Why, your Honors, in the way we have said, from competition of capital with capital for the market on the one hand, and for labor on the other, prices or cost of living will fall, and wages, or the means of living, will rise, until practically, in proportion to their work, the entire product of the country will be distributed among our workers. Would not this secure that wide distribution of wealth, your Honors, for which all these good men sigh, and weep, and pray? What other channel is there but work through which wealth can be thus distributed? If it were distributed arbitrarily it would not stay put, but would find its way back again into the hands of "certain malefactors of great wealth," who have been born with the faculty of making and keeping money. But when people get money by work, they at least have some idea of its value. And with such a system as we suggest, confining all our country's work to our country's workers, more and more of our people, from decade to decade, would become educated in the management of money and by degrees we would become a practically homogeneous people, where everybody would be well-fed, well-

clothed, well-housed and well-entertained, and diverted from the sorrows and cares of life, but where nobody could live without work, because people would be all so well to do that each would have to work for himself, and there would be no loafers and lazybones on the one hand or servants and human chattels on the other.

Break your dike, compel us with cost-100 to compete with cost-20 and fall to the sea-level of wide-world service, and the rich among us would become richer and the poor poorer, until all our land had been left with a few grandees who, like the feudal lords of old in their castles, would practically own the poor. But build your dike to heaven; shut out the degradation contained in goods the price of which does not return to the worker the fibre that he loses in his work, and your rich will become poorer and your poor richer, until wealth has been evenly distributed throughout your whole population and there are no 400 rotting in wealth at the top, and no million rotting with poverty at the bottom; but all are a brotherhood equal in bodies, minds, souls, and estates.

Another thing, your Honors, with regard to the civilizing effect of opportunities to work. We appeal to the followers of the gentle man of Galilee to help us baffle the powers of darkness which these wily plaintiffs have so many times let loose upon us and which by means of tariff dike "revision" they are trying to let loose upon us once more. For nearly two thousand years the Christian clergy have been preaching, and, to a reasonable extent, practicing the example of the lowly Nazarene in doing good to those that curse them and despitefully use and persecute them. But something has been lacking in the program. After all this long

time the world is no better than ever it was before. There are more heathen in the United States to the acre than there are in darkest Africa. The trouble is that all this talking, talking, talking ends only in talking. What we need is good habits. Good talk is too cheap altogether. Good habits are the most valuable things in the world. And good habits can only come from plenty of well paid work. And it seems to us that we remember hearing somewhere in our wanderings an expression something like this: "Faith without work is dead." We do not suppose any of the essay-readers in the pulpits will agree with us that we heard it in just this form. But the form is all right. Faith without work is worse than unborn. It is work that makes habit. And if it is good work it makes good habit. If the Christian ministers could only get it into their heads that there is more sound conversion in an hour's well-paid work honestly done than in a year's sermonizing, they would be on the road to something better for humanity than tent-meeting revivals and collections for the missionary field.

Some of these good gentlemen are getting something in their heads at any rate. They are beginning to feel that there is a screw loose somewhere. For instance, a few days ago Bishop Ingram of London, then at Trinity Church in New York City, said this:

"Have you ever thought why there are any rich and poor at all? That is the question I have had to face in London. They have asked me how I reconciled the belief in the good God loving all his children with the wretched million in East London who seem abandoned by both God and man. I had to face that question and I have had to face it ever since. There is but one answer—the rich minority have what they have merely in trust for all the others. Stewardship, not ownership, is God's command to every one of us."

This good man felt there was a screw loose somewhere, but he put his finger on the wrong screw. Ownership is ownership, not "stewardship." The decent poor do not ask alms, but work.

And here is another good fellow hunting for that same screw. It is Rev. Johnston Myers, pastor of the Immanuel Baptist Church in Chicago. He says:

"Sermons and discourses from the pulpit belong to the passing order; they are out of date. Like the crusades, they have had their day in the religious world and now must give way before a new era in the manner of getting people into close association with the church. * * * Mere preaching ceases to hold a large place in the work of the church nowadays. People are tired of it. * * * This is not the age of the sermon. Ours is the age of personal work. * * * The real reason sermons are going out is because we fail to get definite results from the sermon. * * * I do not know of a single member of the church made through the conversions of "Gypsy" Smith, who held a revival here last winter. The soul-winning of the Twentieth Century must be by personal work."

And he missed the screw, too; but by a narrow margin. If he had meant "personal work" done by and not for the sinner, and had said, "The soul-winning of the Twentieth Century must be by giving the sinner plenty of well-paid work," he would have gotten his grip on the very screw to blame.

Well, your Honors, here is the point: Why is not a high-tariff dike the best means of converting the United States to honesty, temperance and brotherly love? Why, your Honors, wickedness flows from brain-cells which were arranged in accordance with a certain environment, and wherever that certain environment is present that same arrangement of brain-cells follows, and we say the man is wicked. But make such an environment that the wicked arrangement of brain-cells does not follow, and the same man is said to be good.

Now the environment necessary to correct an arrangement of brain-cells which makes a man steal, is one where it is just as easy and at least as safe to work as to steal. People who steal because they love stealing are very very few compared with those who steal because they have to in order to live. Now from our long observation of the tariff-dike, we believe that the higher your dike the lower your tide of crime; and the lower your dike, the higher that same tide. It is plain to see why this is so. Dike out of the country work already done in the form of goods, and your balance of work needing to be done in the country is larger. There are more jobs for our workers and Satan does not find so much mischief still for idle hands to do; but on the contrary the workers find more ways to earn a living than to steal it, and they earn it. Men love life more than laws and when laws get in the way of life they get broken. No laws would get in the way of life if honest labor were quite as well rewarded as necessary crime. Make crime unnecessary to life and it will naturally fall off. Now, your Honors, it may be that if all the jobs necessary to be done for us were divided among us somebody would still be without a job; but if only a part of the jobs necessary to keep us were divided among us and the rest were divided among job-hunters abroad, as the wily plaintiff, the Importing Trust, wishes, it is certain that many of our workers would be without jobs, and more stealing would be necessary. Therefore, we repeat, the thermometer of crime in this country should fall with a high dike and rise with a low one. Now, your Honors, if our Christian ministers would but join us against the Importing Trust, one of the wily

plaintiffs herein, we feel certain that, at last, they would be on the right track. Prayer is a good thing in its way, your Honors, but it is a pretty poor way to form good habits, which simply mean an arrangement of brain-cells making our actions automatically good; and, in making good habits, dike-building would beat praying to death. It is our firm conviction, your Honors, that if all the jobs necessary to be done for us were distributed among us every day, there would be enough to go 'round handsomely; and that if this process were repeated from now on forever, the people of this country would all finally become so good from the removal of temptation and the substitution of honest habits for dishonest ones, that all any of our brotherhood would need to get past St. Peter at the gate, would be his American citizenship papers.

Your Honors, this matter of morality in the tariff-dike seems so important to us that we cannot leave it without rubbing it in well. It seems to us that it points to all that is necessary to be done to reform us all and to solve every problem of commercialism and socialism we shall ever discover. Why, look, your Honors, how work along our pet line would put these wily plaintiffs and the socialists out of business!

On the one hand, the old-line socialists say that by some contrivance, all the wealth of the country should be automatically shared equally by the whole people. On the other hand the wily plaintiffs say that we need no tariff dike, because we have such a lovely climate, such a heap of rapturous soil, such "natural wealth" and such an ecstatic genius for making the most of it. It is the soil and these other jokers that give us the

trick. It is these dead things that, almost against our will, have made us great; and they will give us "the markets of the world" without a tariff-dike and we shall all be happy. But we say your Honors, that our old-line socialists and these wily plaintiffs are both wrong. It is not the soil that has made us great or its equal division among us that will make us greater still. Soil is nothing; sky is nothing; rain and shine are nothing; free division is nothing, unless a man will dig. And we believe in making it an object for him to dig. We believe in conjuring a coin at the end of every shovelful; but we would make it impossible for him to get the coin unless he dug. We are not the other sort of a socialist with his equal division and his premium on shirking. Men should dig; but we would make digging a hopeful proposition by a sky-high-dike, with its coin at the bottom of every digging; and, having done that, the order of life should be "Dig!" If we want to perpetuate this Republic, we must dig, every mother's son of us. That is what makes mind and muscle healthy; and nature's law is "Dig or die!" But the difference between digging with a sky-high dike and digging with no dike at all would be this: With the dike, we would dig *or* die. Without it, we would dig *and* die. Digging with a coin at the end of the digging would make us all happy; and that means a good deal; for although some say, "Be good and you will be happy," we say, "Be happy and you will be good." We add, "Give men good work, and they will be both happy and good." For without regard to "race, color, or previous condition of" want and desperation, the very great majority of men, including women, prefer hard work to kill-

ing and robbing. It is safer and saner. It means longer life and greater enjoyment of its sweets. Men are natural Epicureans. They want the greatest enjoyment possible to the square minute. And being a hunted robber or assassin does not fill the bill. We believe this to be the universal feeling. What men want first of all is good work. A number of years ago the London workless poor formed a great procession, and, tens of thousands strong, marched through the streets, in all their poverty and rags, hunger and hopelessness, to give the English Importing Trust an object lesson in the sort of goods that its raids on the English work-supply were turning out from year to year. The Importing Trust, heard that these poor men and women, so grievously defrauded of their natural rights, were going to make a demonstration, and some of its wealthy members said, "Lo, there are such hard times in London, we must give these people alms." But what reply did these people make? Did they cry for the blood of those who had sold them out of the hope of life? Did they scream, "Down with the Importing Trust! Death to the rich!" No, bless their true hearts! they simply inscribed on their banners, "We do not ask alms. We demand work!" Was not that grand! They merely asked to have restored to them their right to work,—to work for Englishmen. They were true to Anglo-Saxon instincts. They would rather work than beg, borrow, or steal. If these people were made happy with work, they would be good. Some of us are pretty bad. We inherited it. Our fathers were bad; they inherited it. Their fathers were bad; they would lie and cheat and kill and rob; and they became bad because it was he bad or be

dead; and coffins did not appeal to them. But the Importing Trust in one country or another—for all countries have Importing Trusts—went on selling so much domestic work at auction among outside peoples that our wretched grandsires never could struggle to their honest feet. So they got the habit; and their dishonest feet did the most business. And so some of us, as we have said, are even now pretty bad. Some of us ought to be hung and others jailed for life, in order that good people may not be endangered by us. That is the way of the world. Now many of us have brain-cells all arranged for badness; and goodness would be a hard proposition for us. But in time the proper environment would rearrange our brain-cells in the line with what people now call “goodness,” or “righteousness,” as Mr. Roosevelt calls it. Now, make this proper environment; soak the land full of good work by putting the wily plaintiff, the Importing Trust out of commission; and by sending the wily plaintiff, the Exporting Trust, to the rear; crowd it full of domestic products, good things to eat and drink and wear, all awaiting us, at the lowest prices possible to our level of latitude and life, and we real bad ones would begin to work some of the time, even if we stole the rest of the time. Our children might still steal some of the time, but they would work most of the time. And ten to one our children’s children would work all the time and steal none of the time and perhaps forget the art of stealing. Then the good work would have been accomplished. The steady pull of an environment that tied honest work fast to the good things of life would have been the master, and our brain-cells would be found all right

and we would be "happy all the day." Your Honors, put these wily plaintiffs in chains for a century; crack the back of foreign trade; give us the chance to do all our own work ourselves; to make all we have and have all we make; and we could celebrate our centennial of freedom from these wily plaintiffs by burning all our churches and schoolhouses; for they never would be missed; because by that time having plenty of good work would have made our people so happy and hence so good and so wise that to send them either to church or to school would be to insult their goodness and their wisdom.

Yes, your Honors, we suspected counsel for the wily plaintiff, the Importing Trust, would have something to say just about now; and he says that our delightful little digression over the whole of Christian conduct from Palestine to the Golden Gate of St. Peter, has nothing to do with the case; and the fact still is that, with the tariff-dike keeping foreign surplus products from competing with our "trusts," no matter how much capital came into the country, it would all have to join the "trusts" or be put out of business; and the "trusts" would collect from the people by high prices what it cost the "trusts" to buy up this foreign competition. Your Honors, it would take a power of money to buy up the world's unfixed capital, rolling in here to share our market with the "trusts." That same kind of capital would keep right on accumulating in the world at large; and the world at large is a pretty large world. Even if our "trusts" represented all the capital in this country, which they don't, by a long shot, how could the capital of this country, from now on, buy into silence all the unfixed capital of the

rest of the world? For, if profits were too large here, in order for counsel for the wily plaintiff to ring true in his statement, that is what our capital would have to do.

At any rate, your Honors, for a "trust" to buy up competitors is to add just so much to the cost of its plant; and the ways in which the "trusts" can get interest back on such an investment are just two: First, by making the plant purchased or the capital absorbed work and earn its own dividends; second, by leaving it idle and raising the price of present output to cover returns for idle capital. In the first case, to increase supply without increasing demand is to depress price, in the interest of the public. In the second case, to increase price is to handicap the "trust" plant in its quarrel with competitors who have not bought up competition to the same extent. The absorbed plant or capital becomes a dead weight on the back of the "trusts." And buying up competition once all around would not end it. In fact, its end would not be in sight. "Buying up competition," to be successful, would have to continue the handicap to the advantage of competitors which would become larger and larger all the while. In short, your Honors, those who know anything about this trick of "buying up competition" know that it is suicide for *bona fide* industry and that the only ones who ever benefit by it are promoters who dazzle the public with prospectuses, sell out their stock, and stand from under the crash. As a matter of fact, your Honors, all this Importing-Trust talk about the "extortions" and "exactions" of the "trusts" are mere devils' dreams for the frightening of votes into the box of the Importing-Trust presidential and

congressional candidates. There are no "trusts" in this country of the nature and power described by the Importing Trust. They are bugaboos invented with an eye single to the monopoly of our market by goods of the Importing Trust. All the yarns of their extortions, of their combinations, of their nefarious naughtiness, and of their satanic power, are pure hobgoblin tales. The public not only has never been harmed by these "trusts" but there is not a single instance where a "trust" has laid hold of a large section of trade, systematized its production and the distribution of its product, and enforced the economies within the power of large capital, by which the public has not been benefited by lower and steadier prices, a more reliable supply and a more regular distribution. As to what dividends these "trusts" earn, it is none of the public's business. If the public don't like the prices it pays, it can build a "trust" itself bigger than any "trust" ever built here yet, and have the product for the bare cost of production. Thus to compete in any field is a privilege of this free country where there are no government monopolies. And as to what profits these "trusts" make, that will be none of the public's business just as long as we have a constitution which assures us all the equal protection of the laws, and will not let us be deprived of life, liberty, or property without due process of law. These "trusts" are corporations; and in the eyes of the law, corporations are simply individual persons working together instead of separately to secure larger capital and to have perpetual life, a quality which is absent in partnerships and in separate individual enterprises. In no way can their property be confiscated in ways which would not apply to

the property of individuals. We may be sure, your Honors, that all laws against "combinations in restraint of trade," as well as all those which put it in the power of the State to destroy corporations have sprung from lawlessness and an itching for plunder on the part of those who made such laws. There is not now and never has been any reason for such laws, except the itching palms of people who happened to be in a position to make laws for their own pecuniary profit. But none of these laws has ever dared to give the public any greater right to regulate the profits of individuals doing business as a private corporation than it has to regulate the profits of individuals doing business separately. Even the itching palm has stopped there. Now, your Honors, counsel for the wily plaintiff, the Importing Trust, has entertained us with a list of what he is pleased to call the American "trusts" and has declaimed against them as "conspiracies for extortions" and "in restraint of trade." As it was the priestcraft of old that, to destroy a great prophet, inflamed the rabble to cry "crucify him!", so to-day it is this wily plaintiff, the Importing Trust, that, to destroy its rival in this market, organized American Production, fires the American rabble to cry out, "Down with the trusts! Down with the oppressors of the helpless 'consumer'!" This wily plaintiff, your Honors, is the only oppressor in sight which the American people have to dread. Its influence is all-pervasive. Its bribe-givers and bribe-takers, its lobbies and wire-pulling cabals, infest this country like a pestilence. It reaches up to the highest planes of our government and places its profane hands on the most sacred offices in the gift of the people. It fills the land with frenzy against its own Savior,

well-paid employment in our Holy Temple of Production. It swells the rabble with its paid claquers, who scream loudly and yet more loudly, "Crucify him!" and in order to enrage the people to their own undoing, it invents this goblin's story of the "trusts," and repeats it so solemnly and so frequently, and with such increasing emphasis, that every covetous citizen feels his palm begin to itch; every nere-do-well, idler, and loafer, dissipated back-number and has-been in the country, begins to pity himself the more for his bad case and lay all his troubles to this wraith, the "trusts," which has no more real existence than the malicious animal magnetism of Mrs. Eddy. The "trusts" are the bear story of the vicious old nurse of this young Republic, the wily plaintiff, the Importing Trust. But a lot of our weaklings believe in the bear, nevertheless. Here is one of them writing to an Importing Trust organ in one of our large importing cities:

"But the chief cause that impels a man to take his life is [to borrow from Robert Burns] 'Man's inhumanity to man.' Oppression of the poor by the rich, the enslaving of the masses by the select few, the control of the country's resources by the small minority, and the faulty distribution of wealth. It is lamentable in a country like ours, with its widely boasted civilization, its multiplicity of laws and institutions for the protection of the weak and the succor of the oppressed, that 95 per cent. of its resources, its soil, should be owned by 5 per cent. of the inhabitants. These few capitalists wielding their enormous power in an arbitrary and over-bearing manner, are responsible for all our misery and wretchedness. Verily the wonder of it all is that so few commit suicide. Life under such conditions is hardly worth living; it is bound to be wrecked on the shoals of commercial selfishness. What makes this human tragedy all the more dismal is the enormous number of children kept at work in the mills, mines, and factories."

Your Honors, there is scarcely a statement in this deliverance against the wicked rich but what

is as far from the truth as is the zenith of the celestial sphere from its nadir; but it is a fair specimen of our Importing-Trust inflamed popular mind with regard to our client, American Production.

There are no rich, as a class, no poor, as a class, and no masses, as a class, in this country. The resources of this country are not its soil, any more than its people, without whom the soil would be worthless. The number of children at work in factories, mills, and mines in this country is small compared with the number at work abroad, population for population; and the industries in which our children are at work are those whose goods sell at the lowest prices, largely because of foreign competition. But the Importing Trust and its retainers in their campaign for tariff "revision," make our workers compete with countries like Japan, whose mills are almost entirely run by women and children working for from 7c to 12c. a day of eleven hours, and, by the help of American machinery, doing the same work which male adults do in this country. Such writers as this think we have a "faulty distribution of wealth," because money is not distributed gratis to such as he. You have to work for money unless you inherit or steal it. But that does not seem to suit those of us who would rather scream "Down with the trusts!" than build a higher tariff-dike and then earn money and save it; which is the only respectable way to correct our "faulty distribution of wealth." After all, your Honors, which should we naturally fear the most? The crowd who have no property to be injured by anarchism and who use such wild language in describing bugaboos which do not exist? Or the

“trusts” who give hostages to fortune and bonds for their good behavior in the billions of dollars worth of plants in which they employ hundreds of thousands of us? If “the trusts” steal, or murder, or commit arson or high treason, we can pinch their property very quickly and make them pay for their crimes. They are so heavily loaded with immovable property that they can’t get away; and there seems to be no reason for this hue and cry against them; this frenzy of excitement; this mounting upon, the outer wall to the blare of tocsin and trumpet; this hullabaloo and alarm as for the repelling of a sudden and slippery invader. These “trusts” are tied down by their belongings. They must stay put. And if perchance they have broken the laws so that it hurts, if some one who is hurt will make the hurt known, quiet and orderly process may be begun to punish the “wrongdoers” and “malefactors of great wealth,” without inflaming the rabble and appealing to incendiary hate. This might not make as many votes but it would make a more orderly citizenship and not disturb our civilization.

But how about us who are trying to excite to insurrection the irresponsible rabble? If we succeed and, doing the work of the Importing Trust in destroying its competitor, American Production, destroy “the trusts” and all their property, what sort of hostages to fortune have we given? Where is our bond for damages done? Does it not seem to you, your Honors, as though the irresponsible hoodlum running with the gang and breathing threatenings of slaughter against “malefactors of great wealth,” would be more likely to “extort” and “exact” things than these “malefactors of great wealth” whose tenure to property,

of which they have a plenty, depends upon their being quiet, law-abiding citizens? At any rate, it seems so to us, your Honors.

And it also seems to us, your Honors, that a person, saying bad words about the "trusts," "predatory wealth," and "malefactors of great wealth," and deciding that it is better that ninety-nine innocent colored men should be punished rather than that one guilty one should escape, has his justice and equity brain-cells so arranged that his word that the "trusts" are such bad people should not be taken without a grain of salt; especially when he has the ear-marks of a chattel of the wickedest trust in the world, the combination made by the consolidation of these wily plaintiffs.

And it occurs to us, your Honors, that we do not recollect that the big Homestead riot and the riot in Chicago, of some years back, and the riots in other cities, where property was destroyed, were led by "certain malefactors of great wealth" or that the parties pilloried by the wily plaintiff, the Importing Trust, as being the leading spirits of our American "trusts" applied torches or threw bombs or anything of that sort during these various entertainments. Rather, as far as our recollection goes, the people who did all these things were a part of the holy company of saints who are now crying, "Down with the Trusts!" But, in a case like this, good behavior seems to raise no presumption in favor of an accused person nor bad behavior any presumption against the accuser.

Your Honors, the only possible way in which the nefarious "trusts" can be curbed is by making a law a minute to fit their ever-varying crimes.

Their chief crime, just now, seems to be that they manage their affairs so wisely that these Importing-Trust banditti think the profits of the "trusts" too large; that is, too large for those whose midnight oil has made them, but only about right for these pious grafters of the Importing Trust to take away. To our notion no cry would ever have been raised against the "trusts" if the Importing Trust had not wished to destroy American Production and seize our domestic market; and of those joining in the cry who think they have a real grievance against the "trusts," not one has any idea that the "trusts" are entitled to be paid a cent for their services in effecting such organizations that the public now get the products of the "trusts" for half the price formerly paid therefor; but on the contrary they all seem to think that the whole earnings of all the inventive and organizing brains that have joined in such surprising economies belong to the gentlemen who have been set on fire by the spoutings of the Importing Trust against American Production.

In looking over this list of the "crimes" of the "trusts" which counsel for the wily plaintiff, the Importing Trust, has laid before your Honors, we are reminded of one crime which counsel for the wily plaintiff has made no mention of. We refer to the fact of the employment of several hundreds of thousands of workers and the payment to these same workers of several hundreds of millions of wages annually. We also recognize these "trusts" as purchasers of "raw materials" from other American industries to the amount of several hundreds of millions more a year; and a rapid calculation shows us that if these "trusts" suddenly ceased thus to purchase "raw materials" of other

American industries, these latter industries would employ many thousands of hands less in turning out those same "raw materials." We also recognize these "trusts" as drawing upon our railroads for freightings to such an extent that if this draft should cease, the railroads would be compelled to discharge as superfluous many thousands of their men.

Your Honors, we think we can give these people who sing "Down with the trusts!" cards and spades and then beat them. They call "crime" the quiet pursuit of every industry which does not voluntarily divide its profits with them. We will not use "crime" in this loose way. To do so makes loose morals and leads to myopic ethical vision. But what sort of an act is it, that, without a shadow of a cause that would hold in a court of law, methodically attacks, decries, and embarrasses a group of industries such as is represented by these "trusts," upon whose employment hang the lives of hundreds of thousands of our citizens and the prosperity of dozens of other industries employing thousands more? For these industries have committed no crime and have broken no law upon which their detractors can place a finger. The only charge made against them amounts merely to a declaration that the property of these "trusts" belongs rather to those who denounce the "trusts" than to these latter who have earned it by superior organization. At least, your Honors, this is a mooted question. If the chattels of the Importing Trust who make this charge really believe they have a grievance, let them lay it before some court having jurisdiction of the matter, and then abide the decision like decently honest men. But, your Honors, the onslaughts upon vested

constitutional rights by these chattels of the Importing Trusts, if the interest of the latter in the case were not so plainly seen, would cause disinterested people to think that these foamers at the mouth and frenzied pounders of the "trusts" desired the whole case to be settled by intimidation in advance of court proceedings, without a decision upon the merits of the case, in the manner in which all other blackmailing jobs are settled; and this all for the reason that the blackmailers knew that their case had no merit and would be thrown out of court at the close of the reading of the complaint.

Your Honors, sober-minded people should call a halt upon this lawless denunciation of large corporations under the name of the "trusts;" this use of implied threats of mob violence, for the purpose of political blackmail. Especially does this concern the business men of this country, your Honors, whose profits come over their counters in the money they get for the goods they furnish to the public. The business-volume of any country is its wage-volume; and the wage-volume coming into their hands from the pay-rolls of these "trusts" is large enough alone to keep the whole business of the country on even keel. Such corporations should be encouraged rather than persecuted in behalf of the Importing Trust and the substitution of imported goods in our markets for the output of the "trusts." Far more than could be done by small organizations, these great organizations insure steadiness in the production and distribution of their goods to the public, and a like steadiness of employment to their workers; and, therefore, an equally steady and reliable demand upon our merchants for the necessities and luxuries of

life, practically to the full value of the aggregate pay-roll of the "trusts." Surely, your Honors, here is a great force for steadiness and rhythm in American business such as American business men should not ignore.

XXII

IN THE INTERESTS OF RIGHTEOUSNESS, THE CHRISTIAN CHURCH SHOULD AID IN THE EXORCISING OF THE DEVIL, THE IMPORTING TRUST, THE OPERATIONS OF WHICH BREED POVERTY, VICE, AND CRIME.

Your Honors, we cannot turn our attention from the influence of the wily plaintiff, the Importing Trust, towards the degradation of all our people, without recurring again to what we think, irrespective of denomination, is the duty of the Christian church in the premises.

Faith which only nails credence to a superstition is worse than dead. But if it is a step towards nailing a brain-cell to a good habit, it is that which will one day be abundantly justified in her children. You can preach, pray, and sing through all eternity and if you stop there you will never save a soul, for you will never reform a sinner, no matter how much you convert him to faith alone; for conversion and reformation are two different horses and unless your chin music crystallizes into good habits in the sinner, you might as well save your wind. When a sinner comes to the altar all melted to tears of contrition, you may think you've got him; but without a proper readjustment of his brain-cells in

the manner we have just described, you have only converted his sinning from the frankness of the brute to the hypocrisy of the human; and even that poor conversion wears thread-bare very soon. The trouble seems to be that our evangelists fire away at sin and sinners, without any idea of what sin and sinners are. They may not know it, but sin, after all, is merely the unlawful satisfaction of a lawful desire; and you have only to substitute a lawful satisfaction for the same desire, and you have resolved a crime into a very proper act, a vice into virtue, an ugliness into a beauty. For no natural human desire is bad in itself; because all human desires are the urgings of nature towards pleasure rather than pain, towards life rather than death; and every being is naturally entitled to live not only without pain, but also with all the pleasure his sensory nerves are capable of reporting to his sensorium. So much for "sin." Now, as to the sinner, he is not such a fool as to be "in rebellion against God." For would he rebel against thunder and lightning; against earthquakes, hurricanes, prairie fires, and such things? Wouldn't you think him daft if he did? Well, God is something like an earthquake to rational people. You can't "rebel;" you can't get into any revolt about the situation. If you do, it is a sign you are daft. It is not because the sinner is "in rebellion against God," or "his better self," or such nonsense, that makes him act so. It is because he is a piano played upon by rough hands that can't get music out of him. His desires, like blind kittens, for their mother's breast, are reaching out for satisfaction, and they are laying hold of the first thing in reach that appears likely to fill the bill. Now if what they lay hold of is

somebody's watch, people call his pinching it theft and him a pickpocket. But if the first thing within reach is a good job, within his mental and physical powers to do, and he does it and for doing it gets wages equal to the value of the watch, had he stolen it, they say he honorably earned his bread in the sweat of his brow; and they call him a good citizen. Now what the poor fellow wanted in the first place was neither to steal nor to get a watch; what he wanted was something to eat. Therefore, what we stand for and what we call upon our good brethern in this ministry to assist us in doing is the casting out of the Importing Trust and making honest jobs so plenty in this land that when a poor fellow is hungry he can pinch good wages instead of watches to exchange for bread and meat. We think the salvation of every man's soul depends upon his stomach. The stomach is the great gateway through which all instruction in piety reaches the goal of the understanding. Believing a dogma touches no hearts and saves no souls. A man may not believe that Jonah swallowed the whale; but if he does right he is a good enough Christian for most of us to associate with. But if he believes the toughest yarn that ever a sky-pilot told, and does wrong, most of us gather up our skirts when he passes and put our silver in the safe when he sleens at our house. So belief does not go very far in making a man comfortable, reforming his ways, or filling his sad stomach. And unless you can do something practical for a man, he is not going to believe in you very long. It is because there is too much faith and too few works which make good solid habits in righteousness that, as we think, the Christian churches, if they want

full pews will, before long, have to adjourn to the ball-grounds and picnic groves. We should think a church choir would be less apt to waste its accomplishments on Old Hundred between innings at the Polo Grounds and the minister's preaching and praying would be better appreciated on the Coney Island beaches than in his own church with its empty pews and gloom and damp. The proof that we are right about this joining of physical good to spiritual healing as the way of success to the Christian Church is the success that various religious camps have already had marching that way. Look at the Salvation Army! The fellow who helps in a Salvation Army camp gets a good breakfast at any rate; and many a poor fellow out of a job and not knowing where to turn for help, has been soundly converted to its military life and meandering ways and had real piety impressed upon him by an environment of square meals and fair to middling mattresses. And the Salvation Army flourishes as the green bay tree. Then they tell us that some of our latter-day missionaries who have added the medicine chest to the Bible in their outfit have made more progress with the natives, have cheered more sad hearts and saved more souls in a shorter time than half a regiment of missionaries who only had and preached their glowing faith alone. Then look at Mother Eddy's success! Her church has sprung up like a mushroom but seems to have the life of a turtle. And what is the secret of it? Nothing in the world except the fact that to faith in the faith that there is no such thing as sickness, she adds the solid promise to heal all your diseases and she makes you think she has done it. And then, too, after you have shown your faith by coughing

up \$300 she adds the further works of a diploma which sends you forth with her blessing and with nothing but thoughts in your medicine chest, to "heal" at, say a dollar a treatment, and by the present or absent route, as the patient prefers, and as your own convenience may require, it being sometimes necessary to be present in the flesh in one sick room and in spirit in another, at one and the same time but not for one and the same fee. This contrivance for making a practical use of faith rather beats anything we had in mind to start with, your Honors, but it illustrates how we hope to see preaching yoked in some way to practice, such as would follow the shipping of the Importing Trust to the Cannibal Islands and keeping our own jobs for doing by our own people.

To sum up our reflections upon sin, your Honors, since every natural desire has a natural right to be satisfied, it is only in the means or measure of that satisfaction that sin can occur. But the moral rule is that no one should satisfy his desires by injury to the person or property of another; and it is this injury which constitutes all there rationally is of sin. It follows, therefore, that the way to convert a sinner is to make it easier for him to satisfy his lawful desires in a lawful than in an unlawful way. His brain-cell batteries may be all right as they stand; but their wires may be badly crossed in passing through the clearing house of reason on their way to public action; so that their public action may be what is known as "sin," or, as we have just said, some injury to the person or property of another. And here we see the bearing of our recommendation that the Importing Trust should be sent packing. For in order that the satisfaction of a lawful desire

itself be lawful and injure neither the person nor the property of another, the sinner must have enough property of his own to satisfy his desires; and seeing that the great majority of us are not born rich but have to earn what we have in the way of property, in order to change people from sinners to saints, opportunities for getting property by labor should be strewn thickly through every community. It therefore falls out that employment in working for others is the foundation of morality and that to increase such employment is to increase morality and vice versa. And it is on this account that we want a high-tariff dike with its flowing instead of a "revised" tariff-dike with its ebbing tide of morality; and that we believe that the building of a high-tariff dike, and the confinement of home demand to home supply and of home supply to home demand, is to build an untakable fortress for the American army of righteousness.

Yes, your Honors, we hear the wily counsel for the wily plaintiff, the Importing Trust, saying "But you never can get the Christian ministry to believe that morality is religion or that it will save a soul without belief in the Apostles' Creed." This is aside from the question, your Honors, but we pause long enough to say that we do not believe God cares what a man thinks as long as he is a good fellow, good to his wife and children, good to his neighbors, faithful to his country, and to himself. We know many a believer in lots of hard religious stunts; many a believer who believes the Bible is inspired from cover to cover, with the cover and the gilt title on the back thrown in, but so sour and ugly, so forlorn of face and so crabbed in disposition that we could not live with him and

we do not believe that God could or would of His own free will. Everybody loves a hymning sinner better than a howling saint; and a wise sinner instead of a foolish saint is immensely to be preferred as a friend and adviser. If belief is the article that we have seen in the faces of some people who were said to be very pious, we would much prefer it to vinegar for cucumber pickles and would recommend it to housekeepers for the preserving season. And if a different article of faith is what makes some faces we know so bright and happy, so like a glimpse of the angels, even though they tell us the belief back of those faces is rather risky, we must confess to a timid longing for that brand of belief. And this we say with all due reverence for the faith of the unhappy Christian and with the hope that when he wakes up on the other side he will find God a good deal better sort than some of His alleged people here describe Him.

Not only in the matter of morality, your Honors, but also in the matter of education, will the presence of plenty of opportunities honestly to earn our bread send us singing on our way. The reason why we are compelled to support schools and universities now is because the Importing Trust always did and still does dissipate among the alien races of the earth such a large collection of our opportunities to work for fair wages that there are not enough left to go 'round in the way they should and otherwise would and finally reach down into our deepest slums and gradually wash them clean. But build the tariff-dike sky-high; keep every opportunity to earn a good day's pay right at home; and very soon the people would be so generally well to do that they would have their

own ideas as to the best way to educate themselves and learning would be placed upon a better footing than it now is. For education, like religious belief, is of no account unless it fits the educated one to make a better showing in this world than he could make without it. With plenty of good jobs in sight education would be but a tool in the hand of the worker. Workers know that education is of use only as it helps them to more comfortable lives; and, given an abundance of employment, they would provide their own schools. In a few words, to point the moral to our tale: If there is work to do behind a tall dike, education will follow naturally, by the initiative of the people. With no work to do behind a "revised" dike, education technical or otherwise, would be as superfluous as a tail to a toad; and that tail would soon be sloughed off.

As we have hinted in regard to this very same matter, the wily plaintiff, the Importing Trust, has cute ways of taking attention from the tariff-dike, when the prosperity of the country is slowly leaking to emptiness through a thousand different breaks which, by one or another of its devious ways in politics and diplomacy, the Importing Trust has made therein; and one of these cute ways, as we believe we have also already hinted, is to teach our people to hitch their carts before their horses. One of these carts is "technical schools" or "technical" or "commercial education," and "a study of the needs of foreign markets and the best methods of securing their trade." And at this very moment, while practical eyes should see nothing but our domestic market slipping from us through the operations of the Importing Trust, the wily plaintiff thrums on all its harps the song

"Technical Education the Key to the Markets of the World!" Your Honors, this is like the scheme of the robber gang who hired a great brass band to play, just after nightfall, patriotic airs in the public square of a back-country town, and robbed the houses of the innocent citizens while the latter were away at the entertainment. It is like the present manoeuvre of the German Kaiser, tickling American tourists under the chin, while his merchants are robbing American industry under the Roosevelt-Root agreement. You can afford to feel wondrous good-natured and stroke your victim very gently while you are reaching for his watch—that is if you are a pickpocket. We should beware of free treats and shows in the public squares. Thieves are not far away from the spot where some kindhearted man is giving away something for nothing.

Isn't the wily plaintiff cute, your Honors? By its matter-of-course manner of saying that our only hope of glory lies in foreign trade, hypnotizing the people to look at foreign trade as the great goal of all effort; and, without arousing the hypnotic sleepers, passing to the suggestion that the only way for our people to be industrially great is by "technical education;" ignoring the fact that we may always be great industrially if we do no more than our own work through the sheltering power of the tariff-dike, to which end no "technical education" is required farther than we are getting by actual experience! Yes, your Honors, the wily plaintiff, with studied purpose, ignores the fact that the higher we build the dike the more nearly our own domestic trade approaches in volume the entire trade of the world outside; and that "technical education" follows the competi-

tion between bodies of capital here at home as naturally as the invention of new processes and new machines follows the offering of additional profit therefrom in a secure and steady market. Yes, your Honors, to make "technical education" the condition precedent of getting a market is to put the cart before the horse. With no market in sight and no apparent field for the profitable use of a new machine, do men with capital go ahead and lay out large money in experiments and contrivings? No, your Honors, you must prove to them first that their dollar laid out in machinery will come back to them leading a part of another dollar by the halter, before they will put their hands in their pockets for machinery. And it is so with the wage-producers also. Unless they see a return for their pains awaiting them they will waste no time in technical education. And a level-headed business man in a cost-100 country sees no certain return from trading with a cost-20 world. The reason why technical education has advanced in Germany is because Germany is a cost-30 country and, by technical drill, Germans have merely to lay aside their handicap of clumsiness in order to bring to bear against our cost-100 country and cost-50 Great Britain the full force of their lower pay-roll. The right scent for both Great Britain and us to follow against German cheapness, which threatens both countries like a pestilence, is prohibitive tariff-dikes. But the wily plaintiff, fearing we will "catch on," is leading us off with feverish impressment upon the false scent of "technical education" and "study of commercial requirements abroad!"

XXIII

THE PRETENSE THAT THE "TRUSTS" COULD IN ANY WISE HARM THE PEOPLE, EVEN THOUGH NO GOODS OF ANY KIND WERE EVER IMPORTED, IS A GREAT FRAUD.

Your Honors, the wily plaintiff, the Importing Trust, is playing Foxy Grandma with us. It says if we don't let in foreign goods to compete with the "trusts," these latter will swallow us like alligators. But, your Honors, the "trusts" are nevertheless composed of men and they must be a majority of us to do it; and would a majority of us vote that we should swallow us? No other nation ever swallowed itself in that way; and really, your Honors, we do not think our nation differs from other nations in this respect. And then when it gives us advice the wily plaintiff may be mistaken again because it has many, many times, recommended a dose of foreign production for our disordered national liver and after taking its prescription the nation has nearly died from an empty-stomach; and we all voted that a heap worse than bad liver. Any way, your Honors, does it seem reasonable that, if left to itself, we would swallow us? Because, before nations were formed, there were tribes, and we never heard of any tribe swallowing itself in this way. And there have always been "trusts" even in savage tribes; and we never heard of the "trusts" in any tribe swallowing all the rest of the people, as the Importing Trust says our "trusts" will do if we don't watch out. Why, it seems to us, your Honors, that if there had been any of this self-swallowing virus in our veins we

would have all swallowed us ages ago and have left by this time nothing but the animals and the fishes. Instead of us all swallowing us, however, we have kept right on ciphering on the face of the earth, as we believe the Good Book says. And now look at us! We are a billion and a half or more and still coming!

Now it don't seem to us, your Honors, as if we had left a very good record for the health of any crowd, call them "trusts" or what not, that has tried to swallow us. In the first place, we were a lot of small nations called "tribes;" and we got tired of having so many small bosses called "chiefs," and we just stored a lot of them in the garret and then had only a few big ones instead, which we called "kings." Then we got tired of having so many kings and we sent a lot of them to the scrap heap and gave the job of several of them at once to a fellow we called an "emperor." Then after a while some few of us, at any rate, got tired of the royal shooting match and put both kings and emperors in our rummage sale and elected Teddy. This don't look like going towards the little end of the horn, does it, your Honors? It don't look much like our letting any boss do us much harm before we showed him the door, does it? Now it don't make any difference whether your boss is a king with a whole lot of colored goods on his back, or a "trust" or anything else, the temper of our blood is not made to stand any back talk for long from anybody whose rule is against fair play and not according to contract. You see, your Honors, we have here in this country a contract between all the people called the "constitution" and according to that every fellow has a right to earn all the money he can and when he has earned it

he has to give up some of it in taxes for schools and a few other things and the rest is his to keep or to buy something with; and if he buys something, he can keep what he buys as long as he pleases and then sell it if he wants to; but he need not sell until he gets what he asks for it, and it is nobody's business what he asks for it; and no matter what he asks for it, if it is worth more to you than to him at his price and you buy it, he is not "extorting" or "exacting" more than he has a perfect right to according to this agreement called the "constitution." Now it seems to us, your Honors, that, as long as these "trusts" are only doing just what the agreement gives them a right to do, nobody has a right to squeal. We have no right to say their prices are too high any more than they have to say our prices are too high. We cannot take their things by force and pay them only what we want to, any more than they can take our things by force, and pay us only what they want to. If this way of doing things is wrong, then it is our own fault for making such an agreement as we did in the constitution; and the way to make things better is for us all to get together and make another agreement or constitution in which we agree not to be "trusts" but that each of us shall work alone by himself; and after that new agreement is made if a lot of fellows get together and make a "trust," then we can light on them and take their things at whatever price we have a mind to give. If this was all agreed to in this way, then the "trusts" would have no kick coming if we took their goods away from them and gave them anything we wanted to for them; but until we do this and people who are now "trusts" have had notice that everything has been changed and

that we are going to run our autos on a different road than the one they have been running on for a thousand years, we have no right to say the "trusts" "extort" or "exact" from us when they just fix the price they want to on their goods. Because we agreed in the contract that they could; and if we kick, we are a lot of poor hoodlums and deserve to be punished; and the "trusts" would only give us what was coming to us if they shut us up a while and made us eat the constitution for each meal. For that is what we would deserve. We are chewing our own words when we go back on the constitution and say the "trusts" must sell their goods to us by one rule which we make as we go along; but that we can sell our goods to them by the constitution rule, which lets us fix our own price.

Now it seems to us, your Honors, that, before we plead the baby act and bawl "No fair" and say we didn't know exactly what we were about when we made the constitution contract, and blubber away about being strangled by the "trusts," unless we break the dike and drown the whole country to get rid of a few field-mice—before we make a holy show of ourselves and get sent to the insane ward for observation, we might better wait until this "trust" strangulation strangles some. It has not begun yet, with our savings-bank deposits running towards four billions of dollars and increasing by the minute. But when it begins to strangle us some, no matter how little, let us all remember that, in this country, we have ballots that are better than brick-bats. Let us remember one thing, which the Importing Trust, through its red-hot newspaper allies, is trying to make us forget, and that is that we the people, by a majority, are the

bosses of this country; that the President and his cabinet are our most humble servants, and that Congress is our hallboy, or, at any rate that is what we hired him for; and if either of these servants of ours gets a swelled head—and they some times do—and do not do what we want, we can dismiss him and choose another. And if we don't like our national contract, the constitution, if there are enough of us who think the same way about it, we can scratch it out and write a new one; and we can make it just to suit ourselves. Now in this state of matters, your Honors, the fellow who goes up and down the country firing people's ire against "predatory wealth," "malefactors of great wealth" or any group of people, who are handling their property in accordance with their constitutional rights, is simply a public nuisance who ought to be suppressed for breach of the peace. By the fact that he does not enter complaint against them under some statute, he proves that these people against whom he declaims are obeying the laws. The good Lord knows he would "have the law on them" if he had half a chance. But he proves that he himself is the real malefactor by his seditious talk and his trying to make the morally weak trample on their own contract, the national constitution. The thing that should inspire us, your Honors, to quiet and orderly conduct under all circumstances, in spite of the ravings of "gluttons of the lime-light," is the great fact that we are the sovereign people and that in our hands, by lawful and decent means, with "malice towards none but charity for all," is the power to remedy any evil whatever that can be remedied by human hands. The laws are ours, based on our constitution. We made them all; and we can change them all to meet any requirement of modernity. The Constitution is

ours. We made it and break it as we please by amendment, all in regular course of law and of justice. Why should we fume and fret, your Honors, against the "trusts" or "predatory wealth," or "malefactors of great wealth," or "predatory corporations," or people with "swollen fortunes," or anything at all? If the doings of any one do not seem in accordance with the public good, let us look up the law and see if he is breaking it. If he seems to be breaking it, let us in a quiet and orderly manner file our complaint, without fumings and threatenings or lime-light pirouettings, gyrations, or gesticulations. In preserving public order, let us not let our right hand know what our left hand doeth. Let us do good by suppressing evil under the law for the good of our common country and not for personal glory. But if we find on inquiry that what we thought was an evil was nevertheless according to law; if we thought a "trust" was asking a price higher than we thought we could afford to pay, and it seemed to us against the law, but, on looking the matter up, we found there was no law to prevent the "trust" any more than an individual from keeping its property until it got its price, then it would not be the "trust" that would be in the wrong, but the law; and all our red-fire should be burned at the impersonal law; and public opinion should be molded in such a way as to bring about an amendment to the constitution and a new law based on that which would compel the "trusts," and us and you, your Honors,—for the "trusts" are only collections of people like us,—to sell our property in accordance with some new rule or law such as we had agreed upon. But we have no right, your Honors, to froth at the mouth and yell ourselves hoarse and shake our

fists at anybody for doing exactly what the law allows him to do. That is to teach the people not to consider laws as the safeguards of rights; but instead to make of every individual his own law-maker; and then by necessary sequence, his own law-enforcer; and there you have anarchy. And that is just the direction our country would take, your Honors, under the unbridled lead of our "Glutton of the Lime-Light."

But, your Honors, not even our "glutton of the lime-light" trots except in the harness of the Importing Trust. The fine Italian hand of this wily plaintiff can be seen in every insurrectionary attack on American Production, whether called "trusts," "criminal corporations," "criminal railroads," "predatory capital," or "certain malefactors of great wealth." Just now the wily plaintiff has more than cause to be content with the "Government" which makes German Agreements, Cuban Treaties, and schemes for free trade with the world through the Philippine Hole in the Wall. But usually when the Importing Trust, through its newspapers, alludes to the "Government" as "exacting" taxes from the many for the benefit of the few, it means that the tariff-dike is interfering with its profits and should be removed; and it wishes to give to ignorant people the impression that the "Government" here is some despotic thing against which we should revolt, as foreign countries revolt against kings and their divine rights; and that the tariff-dike is simply a king's extortionate taxation. It seems strange that even the wily defendant should thus speak of our "Government;" because "Government" with us is a structure made by the people, and one which from time to time and without revolutionary fury, the people remodel to suit

themselves. But we imagine, your Honors, that the wily plaintiff, in thus referring to the "Government" as an alien antagonist, distinct from the people, and representing a royal line that preys on the people, is depending upon the fact that a large number of us have come so recently from governmental oppression in the old country that we don't quite understand the new situation and do not realize as we should that we ourselves are the "Government," and therefore the habit of responding to the word "Government" with a rush of hate to our heads is still with us; and the wily plaintiff imagines that the quickest way of making us aid the wily plaintiff in any plot for the rape of this country's savings account is to give out that it is only operating "agin the Government."

In all its machinations, and especially in order to rouse the blind fury of our people to their own undoing and to its vast enrichment, in applying the word "trust" to American Production, the wily plaintiff, the Importing Trust has shown itself of great resourcefulness and great cunning; but, your Honors, it is not the means to the end which stamps this wily plaintiff with its true character; it is rather the end itself and the repeated and pitiless accomplishment of and profiting by the accomplished end. Your Honors, no army of trained cut-throats at any period of the world's development, when sacking and burning cities in its path, has ever shown more love of havoc than has this wily plaintiff, in the starvation, despair, and untimely death under which its success against our life-preserving tariff-dike has so often buried our devoted country. Not once alone, your Honors, but many, many times has this wily plaintiff scarred our land as by fire and left behind on every hand worse

things than smoking ruins of happy homes. Language would fail to describe the lively horrors of its every triumph. It is not bloodthirsty, your Honors. It does not slay for the horrid lust of killing. It slays for the same reason that pirates have always taken human life—for plunder. And its descents upon our homes are always made with the same swoop and swirl with which the cattle-stealers in olden times raved down from the mountains to the smiling plains, only soon to be off and out of sight with their spoil until flocks and herds had been replenished and the lowland farms were left unguarded once more. The wily plaintiff knows that, with its breath of destruction, it cannot rule us for long; because if it did we should be utterly consumed and leave no sign. It knows that we, a cost-100 country, cannot live long without a high tariff-dike against a cost-20 world. The most it hopes for is to fool our people to smashing the dike, through which it can rush like a Niagara flood, soak up our savings and all the wealth that's movable and be gone. It knows that after each raid upon the dike; after each all-destroying deluge and exterminating inundation of foreign goods, the people always have and always will awaken to their horrible folly, throttle all opposition, and build the dike anew and higher than ever; but for the momentary plunder, with the purpose of scooping up a small portion of the wasting heap of our wealth unseated by the deluge, it fills this land periodically with its sonorous crusade against the American "trusts" and ends by the destruction of billions of American property. It is the looter who sets fire to the King's palace in order to run away with the crown jewels under cover of the smoke. It reckes not of the destruction of life, by

sheer starvation and despair, which its success is sure to bring, and which it has itself often seen follow its forays upon our tariff-dike. For neither the wail of the orphan, the sob of the widow, nor the groan of the strong man who sees his wife and children, from a want he cannot meet, fading before his eyes into the very shadow of the grave, has pathos to check the wily plaintiff in its work of death; and unheeding the havoc which it unfailingly scatters over this fair land of ours, in a country where there are no classes, it continues from generation to generation inflaming the people by its appeal to class hatred, in which it preaches a gospel of envy and covetousness, which, for hypocrisy and hellishness would even make Lucifer redden with shame.

Your Honors, who shall have aught of reproach for us if we declare once more that, judging from their contempt of the lives of men, these wily plaintiffs are the wickedest "trust" in the world!

XXIV

THE WILY PLAINTIFF, THE IMPORTING TRUST, IS A
TEACHER OF CANNABALISM TO AMERICANS WHO
ATTEND ITS SCHOOL.

If your Honors please, counsel for the wily plaintiff, the Importing Trust, in his dread assault upon our humble client, American Production, pointed, with a brow dark with awful reprobation, at some dozen or so so-called reciprocity treaties sleeping the sleep of the unjust in the Senate pigeon-holes. But what are these so-called "reciprocity treaties," your Honors? Mere bills of sale to the Cannibal Chief,

International Commercialism, of the American conscience and the American compassionate heart, and, to the wily plaintiffs, of the precious souls and bodies of millions of our wage-producers! Alas for poor human nature! Alas for the land of the free and the home of the brave! For we are not supposed to be the Cannibal Islands, but a generous, a noble, a never-to-be-excelled country, of which the State of Massachusetts is the brightest star in our national constellation and the City of Boston its shiniest ray. Oh, what means the clamor from the Pilgrim-Father State for the execution of this bunch of bills of sale of human flesh? Only that where stomachs are concerned and pocket-books interested, the whole earth is a Cannibal Island and the City of Boston its hub! No wonder our cautious Senate lets those treaties sleep in its pigeon-holes! And alas and alack again for poor human nature if it does not soon etherize the whole batch of them! For they are merely compacts with foreign countries, executed at the instance of our select band of Cannibals, by which the American people, through its President and Senate, strip one group of citizens of their last fibre of flesh and present it to other American citizens, who, for some reason unknown to decency, have a better hold on the affections of our President and the Senate than have the devoted victims of this cannibalism. Look at it, your Honors! It is proposed, for instance, to rob our woolen manufacturers of the whole home market, in order that our steel manufacturers, for instance, may not only have the whole of the home market still protected by the tariff-dike, but a large slice of some foreign market also, purchased with the proceeds of the aforesaid robbery! Alas again and again for poor

human nature, when its itching palm can thus be stretched out to receive the coin made from the very bones and breath of its brothers in toil!

Your Honors, those who are thus willing to coin their brother's blood and make money from the hunger-pangs which torture his family, do not come from any one of our States exclusively; but what horrifies us so much is that any of them at all should come from the moral and intellectual State of Massachusetts; and that, too, your Honors, when the Massachusetts industries who join this cruel campaign for reciprocity treaties and "free raw materials," are doing well, nay are transcendently prosperous because of the tariff-dike, whose kindly protection they desire taken away from many of their sister industries, in order that they themselves may be more than extravagantly prosperous. Not only are they rolling in the wealth which has come their way within the years since the Dingley Dike took the place of the Wilson Ditch, but, from the steady pull of our American demand, braced to the utmost by the biggest and best-paid army of wage-producers ever fed under a single flag, an infinite measure of more is even now in sight. But yet the cry of the Puritans is "More!" And to get more, they are demanding with all their Boston arrogance that, by means of these reciprocity treaties, they be allowed to feed into the hoppers of their mills the very bodies and souls of wage-producers of other industries, to come out molded into the shape of additional foreign trade for the feeders. Oh, Massachusetts! Oh, Boston! How have the Puritans deteriorated, even since the days of Salem!

XXV

MOTHER ENGLAND IS A DREADFUL PICTURE OF THE HAVOC WHICH THESE WILY PLAINTIFFS, IF UNBRIDLED, WILL FINALLY WORK UPON OUR OWN DEVOTED COUNTRY.

Your Honors, as far and wide as human nature is the presence and the influence of these wily plaintiffs. They represent the cunning, the deftness, the alertness, and the pitilessness which characterize all beasts of prey. The Importing Trust is nothing but unalloyed rapine. It has not a single redeeming feature. Its sole function is, by the finesse of trade, to get wealth which others have labored to create. It never creates wealth itself; but without a moment's hesitation, without a regret or a pang of conscience, without a syllable of compassion, but merely in order to stride across the ruin it has wrought and lay its untrembling hands on a comparatively insignificant spoil, it often destroys great masses of values. We have merely to point to Mother England to prove the worst we have ever said about the Importing Trust, which, everywhere, yesterday, to-day, and forever is the same. Here is a bit of its hideous history: In the early 40s of the last century there was great distress among English workers in various of her mills. The true cause of this was the fact that the American tariff of 1842 had cut off England's best customer, and England's laborers, having theretofore been huddled together upon those trades which supplied the American as well as the British market, were hit by Ameri-

can protection and were often out of employment; and of course there was distress—distress directly traceable to the English Exporting Trust, which for generations had warped and distorted English industry from a development in which it would have taken the whole output of each branch to supply the demand of the English people, to a state in which almost entire industries relied on foreign markets to buy their outputs. Of course those out of employment in these industries found bread high. It would have been high for them at a farthing a stone. And they starved. But the English Exporting Trust hid the true reason by saying it was dear bread and not dear work that starved the workers, and that the English tariff was the cause. Then the English Importing Trust and the English Exporting Trust put their heads together and caused the destruction of the English tariff-dike, the Corn Laws, which were repealed in 1846. The American Importing Trust says the Repeal of the Corn Laws was followed by increased employment of English wage-producers and greater happiness in England. Does it remember that the repeal of the Corn Laws in England in 1846 was almost synchronous with the smashing of our tariff-dike here by the notorious Walker Tariff, of unholy memory, a measure for the destruction of Northern mills for the benefit of Southern plantations; and that, on that account alone, England's mills were started again at high speed and starving workers given employment anew? The Importing Trust also says the famine in Ireland about that time was caused by English protective tariffs. Your Honors, the Importing Trust is saintly in its love of truth. Ireland's famine came then and all her famines have since come from her colonizing by

England and, through compulsory free trade with the English Industrial Giant, the destruction of her wonderfully diversified system of industries which forced Ireland, without wages to buy other things, largely to live on potatoes; and when the potato crop rotted, poor Ireland starved to death, although "only across the channel are people who roll in gold." No, your Honors; it is not English protection that starved Ireland, but English free trade with her unhappy colony "across the channel," on the greenest and richest and yet because of free trade, the unhappiest island on the globe. It is not land or water, or mines or forests alone that make people rich, your Honors. It is the sacred right to labor for decent wages.

But what was the early effect upon England of the abandonment of her tariff-dike, your Honors? It was a dreadful slaughter of English men and women, which forms a chapter of horrors worse than that which is written by the sacking by savages of a great city. England's workers were exploited by two enemies then, both the Importing Trust and the Exporting Trust. The Exporting Trust had already congested English workers too much on a limited number of industries, leaving them to depend for their lives on a foreign export trade which was always affected by wind and weather, war and diplomacy, and was often at the mercy of the American Congress, which, at one session, would build a tariff-dike against English goods and dispense starvation to English workers thus made idle; and at the next, perhaps, when the English lobby in Washington was strong enough, with the aid of our Importing Trust, the wily plaintiff herein, to make Congressmen shut their eyes to the death they were dealing among their own

countrymen, would tear down the dike again and renew hope in English hearts. But now, in addition to the havoc made by England's Exporting Trust, her Importing Trust, by exploring and exploiting every land where goods could be made more cheaply than in England, deluged her with foreign goods and drowned out of their employment forever thousands upon thousands of England's cleverest workers. Whole industries were wiped off the English map. Thousands of farmers were beggared by the importation of American wheat, and her farming lands were abandoned to pasture by the hundreds of thousands of acres; while in the vilest of quarters in her large cities, the unemployed festered in heaps. And everywhere in Great Britain laboring humanity became so cheap that none was so poor as to do it reverence.

This exploitation of the English pay-roll, on the one hand by the Exporting Trust and on the other by the Importing Trust, rapidly gathered the entire wealth of the British Islands into the hands of the members of the Importing Trust, the great merchants, and the Exporting Trust, the manufacturers and the nobility who patronized manufacturing industries. England's industrial history is the history of the machinations of the British counterparts of these wily plaintiffs to enslave British wage-producers and grow rich from their bartered bodies and souls. In the face of such a history, what a mockery is the national boast of England, to wit, "No slave can live under the British flag!" Why, your Honors, England has done nothing else but enslave her wage-producers for generations. For centuries she led English industries along the lines in which, in the form of spe-

cial products, her manufacturers could pawn her stores of coal and iron with the Loan Uncles of the Importing Trusts of all the foreign-trading countries in the world, thus, while impoverishing the many, enriching the few who could purchase a title to her mines, by allowing them at bargain prices, and in a comparatively short time, to scatter all over the world the natural stores which if used alone for her own people, should have lasted her ten thousand years; and with an insanity which surely did not come from the good gods, placing herself in a position where she would be at the mercy of the outside earth for these things. Thus England's Exporting Trust has sold out the English nation in the world's public auction-room and left English wage-producers at the mercy of the ebbing and flowing tide of foreign trade and foreign dike-building which has barred out English goods, except on terms which English wage-producers have had to pay in lower wages.

So England has become industrially lop-sided. Great in mineral wealth, but only entitled to a mediocre position as a producer of her own food, her Exporting Trust cashed in her mineral wealth and piled up power in that form fifty-fold greater than her natural strength in population and land entitled her to have, and thus pawned at a low competitive figure England's power to live long and soberly. A natural dwarf, England's Exporting Trust—at that time England herself—desired to be a giant, and, for a time, became a giant in manufacturing while she shrank to a pigmy in farming. Then the Importing Trust came to its own; and with free trade proceeded to convert both English farmers and English factory hands into coin for its till. And this thing has gone on until England is a land

of starving workers and of people whose only excuse for not leaving her inhospitable shores is the lack of the price of the passage across. With her impoverished population and her prostrate agriculture she is at the mercy of foreign markets wherein to unload her manufactures in exchange for bread. And after all these years of riotous living by the counterparts of these wily plaintiffs, what is she facing? The alternative of going back and repairing her tariff-dike against foreign goods coming in, and building a tariff dam against her own products going out; or industrial and political annihilation. Her fate is written large on the wall. She never was entitled to be larger than her power of growing food for her own people; and back again to the size to which she was originally fitted to grow, she must shrink. Aye, your Honors, and to as much smaller dimensions as her natural resources have been squandered in foreign trade. The usurer with which she has pawned her future for her present will soon demand back his principal together with his interest. With her mineral wealth fatally reduced to secure those advances with which she has paid for her inflated grandeur, she will be compelled to raise a huge tariff dike against grain, turn her pastures to plow lands, clear her forests, confiscate her gentlemen's parks, and raise her own food; and, failing in her foreign markets, now being shut to her by dike-builders, rely only on the market made by her own people at home. Thus she will shrink to her own natural size by the exorcising of the two devils, who are counterparts of the wily plaintiffs in this suit; but she will stand on a more healthy and secure footing.

Why, your Honors, is so little known or said

of the havoc wrought in our good Mother England's happiness by the first cousins of these wily plaintiffs? Merely because these very wily plaintiffs hide the English ruin by every means in their power, to the end that our good people may not look upon these wily plaintiffs also with aversion. Yes, your Honors, the facts of England's misery are carefully suppressed. Only the good figures leak out to this country. The English Exporting and Importing Trusts work together with these wily plaintiffs to keep our people ignorant of the results of their sale of English wage-producers into bondage. Whole English industries have been wiped out and hundreds of thousands of British wage-producers have been crowded from their trades and have died in the deepest misery because of free trade and its pestilential competition, but these facts are never mentioned in the doctored figures pretending to show the condition of English industry. No your Honors, these English statistics do not show the frightful congestion of British labor upon a narrowed field of employment. They do not tell of the overrunning of their country with foreign goods; the immigration of English industries to the mainland of Europe; or the invasion of English wage-producing fields by foreigners and by women and children, paid even less than the starvation wages of the English adult male. Probably the chapter of horrors in the English free trade history will—we might say “can” never be written. Language is too weak to describe the degradation of body and soul, the mental and physical anguish, and the starvation-slaughter scattered among English wage-producers by the counterparts of these wily plaintiffs, even if every possible detail of these horrors were not strenuously suppressed by this in-

ternational guild of Exporting and Importing Trusts. But we of this land have nothing to say. Again and again these wily plaintiffs have wrought a ruin among our own wage-producers for the moment as terrible as that wrought in an equal time by their cousins in England. All unrest among our wage-producers here; and all disquiet among those of other countries are the direct fruit of the tilling and sowing of these wily plaintiffs and their foreign kinsmen. Wherever move our own wily plaintiffs or their counterparts abroad, the goal of their efforts is the undetected conversion of broad national prosperity into narrow individual fatness for the members of these destructive "trusts." Yea, as parasites to a bleeding host these wily plaintiffs attach themselves to the nations at a loss of national blood, which, were it all known, would "stagger humanity."

Paralyze the right arm of these wily plaintiffs, your Honors, and of all their foreign confreres, and an ideal socialism would pervade the earth; a socialism which would not impair individual initiative, but would reach all the highest aims of our current socialism. Pure socialism is the pure doctrine of human brotherhood; but the form usually advocated does not take note of the fact that individuals are often as far apart as the poles in natural gifts; and it therefore would deprive the community of the benefit of its aggregate strength by throwing away the power of each individual in excess of a certain average. But, your Honors, if by a prohibitory dike you shut out foreign goods and by a prohibitive dam you kept in domestic goods, the aggregate production of the community would be divided among its members in proportion to productive merit as expressed by individual ability.

For the whole of the community's demand being directed to its whole supply, and wages rising or falling according to the ratio between demand for and supply of wage-production, both wages and prices would come to an equilibrium in a given industry at the point at which supply exactly equaled demand for the given product; and profits of property-producers then would have been reduced to the point where a lower profit would cause the migration of capital; which would also be the point where profit would be merely the wages of the property producer, fixed also by the ratio between the demand and the supply of the given form of property-production. Wages would now be mere counters showing the extent to which each wage-producer was entitled to draw upon the common supply of the community; and the wages of a given wage-producer would be large or small, according to his energy as a producer. But foreign trade, in which the wily plaintiffs live, destroys this equilibrium and frequently returns to a wage-producer wages not proportioned to his ability, his employment being as a rule a mere matter of chance, determined by the fact whether the wily plaintiff, the Importing Trust, has sold abroad the country's demand which otherwise would have come to our wage-producer. Furthermore, the wage-producer's wages should be his title to a portion of his product in merchandise commensurate, not arbitrarily with the money he earns, but with the amount of energy he applies to his work, which is supposed to be represented by his wages at the time he does his work. But by the work of the Exporting Trust, the purchasing power of his wages may be reduced between the date of his earning and the date of his spending, from the fact that a part of the sup-

ply he assisted to make has been reduced by export, without a synchronous and automatic reduction of the demand, which causes an increase in price, or, a reduction in the purchasing power of his wages.

In these ways the wily plaintiffs cause an uneasiness among our wage-producers; for, cut off by low wages on the one hand and by high prices on the other, industrious spirits do not receive an equitable reward. Honesty and personal integrity "cut no ice." Physical and mental ability to do work well are not in it with foreign-trade trickery. And what turns the thoughtful to socialism and the thoughtless to anarchy is the grievous injustice of a situation, where a man is held good enough to pay taxes and help bear the other burdens of communal life, nay, is held to a strict accountability therefor, but is not good enough to be given his pro rata of all the employment furnished by providing for the country's wants. The Importing Trust sells our demand abroad and the Exporting Trust our supply, destroying the equilibrium here between supply and demand which otherwise would soon make life a stable thing in this fair land of ours, cut off gambling in stocks and crops, and put a premium on steady morality.

The socialism we believe in your Honors, is such as we have described, which would make the domestic market the property of those whose supplies were offered to it as their liquidated demands, calling for the supplies offered by their fellow wage-producers in this country. And we have already said that what creates current socialism in this country is the fact that this property-right in the market "cuts no ice;" since these wily plaintiffs are allowed to appropriate our wage-producers' market made at wage-100 and sell its consequent

demand-100 to any bidder in the cost-20 world they please, and at any price they can get, thus killing the demand for American wage-producers. We do not see, your Honors, why the wage-producers who, by their association in a community create a market there, should not be considered to own their common market as much as they own their wages. And if this is socialism, your Honors, the learned counsel for these wily plaintiffs will have to make the best of it. Not only would this kind of socialism, by rewarding it to the limit, keep individual initiative alive but it would also take care of all the weaklings. There would be no "survival of the fittest," in the sense that the unfit would perish and leave the fit them surviving. It would rather be "The leadership of the fittest and the followership of the unfit." The unfit would not perish but they would be improved. In the general employment which would prevail at high wages, there would be room for all workers, no matter of what grade. And if any fell by the way, they would be kindly cared for; because the human heart is not hard where it is not necessary to the life of the owner of the heart. And there would be enough to feed, clothe and shelter the weak in the abundance prevailing where every penny's worth of demand in the domestic market was reserved for the supply furnished by its wage-producers.

We have held up Mother England as an example of what follows from a doctrine different from ours, a doctrine which does not admit the exclusive right of the wage-producer to his domestic market and all the opportunities of employment which it gives him. By taking the yoke of the cousins of these wily plaintiffs, she has experienced what these wily plaintiffs are, viz., the agents of the back-track

movement in human development, of involution towards the narrower individualism of the old feudal times instead of evolution towards the broader nation. For as against a broad nationalism, these wily plaintiffs, both in effect predatory, aliens, stand for a narrower individualism; as against a wider and wider distribution of wealth, they stand for the gathering of wealth into fewer and fewer hands, as a swarm of self-asserting and strenuous individuals first drive the nation asunder into fragments and then absorb the fragments, the larger individuals finishing by swallowing all the smaller ones, until we have retraced our steps to the time of the earl and the duke, the fortified castle and the dungeon-tower, and the ragged and hungry retainers, huddled in the barracks, about the kitchen garden and in the quarters of the horses, cows, sheep, goats, and asses. This would surely come from following the rule, "Every man for himself; the devil take the hindmost." There is no brotherhood in this rule. It is a spear which knows no brother. It is the rule of the Big Stick. Broad intelligence is out. Brawn and cunning are in full command. It is a burrowing with mole eyes for the little dollar just ahead in the dirt, and a missing of the vision of the concrete nation, upright, happy and wealthy, moral and strong, which would surely rise from following the rule, "All for each; each for all," and recognizing the sacred right of each citizen to do as much work as would fall to his lot by dividing among all the citizens of the nation, according to their varied powers, the opportunities to work caused by the necessities of the nation; and to share in the fruit of this united production by a like division according to merit, of all the supply made by the nation at work. These wily plaintiffs

stand not for the success of the industrious, the honest, the willing, and the true; but for the success of him whose talents are greatest in contrasting and playing the necessities of one human being over against the like necessities of another, with an incidental stab in the direction of making the necessities of each as dire as possible through the withholding of his food by intercepting his employment. They represent the marauding elements in human nature. They browse upon the misfortunes of the weak. They block the avenues by which one wage-producer may exchange his products with another; while they take toll from both on pain of starvation to the one who refuses to be levied upon by these brigands of international trade. They make success depend upon the same qualities which they impersonate. The one who is the most diligent peddler, the most adroit bargainer, the cunningest hawker and hood-winker, is the one whom they decorate with their highest honors. So they chaffer, and dicker, and huckster, and hunt the earth around to find the weakest and the most miserable producer, in order to get his product at the weakest and most miserable price and stand between the strongest and best producer, the man with the hammer in his hand and a hope in his heart, and the market upon which his activity and his hope depend. They play misery against happiness and coin the difference between the happy man's happiness and his misery into a profit on an importing or exporting deal; and they call this "Buying in the cheapest and selling in the dearest market." And so with the old "Devil catch the hindmost" rule in operation, it is the most violent, the most cunning, the most unscrupulous, and the most strenuous who, by playing poverty, distress

and harrowing necessity against poverty, distress and harrowing necessity and pocketing the difference between various degrees of misery, gather the fat of the earth into their store-houses, and so get the farthest on the road to riches. Quiet worth and industry do not count, except to offer a larger booty to these wily plaintiffs. If there is any value in these virtues shown by wage-producers, these plaintiffs alone get it. And since as compared with the industrious and patient, honest and plodding wage-producers, the members of these wily plaintiffs are few, to give a free hand to these wily plaintiffs, is slowly but surely to gather the wealth of the earth, wherever in any wise now equitably distributed, back into the hands of the pushers and pullers, the jostlers and shovers, the members of these wily plaintiffs, and bring back the days of vassalage and feudal tenures under barons and chiefs and bearshooters as violent and harsh as those of old. But reverse the progress; cut off the international carnage of these wily plaintiffs, take away from the Big Sticks and the "Gluttons of the Lime-Light," their power to coin violence and cunning, and the quiet and the industrious will bring their virtues to a ready market; industry and honesty will come to be the "coin of the realm" which will purchase for their possessors a full share of all the good things which they assist in producing. There will be no pushing or pulling of mobs of unemployed; but the whole country will go rhythmically forward to higher planes of civilization and refinement, and we shall become the most moral, just and humane, as well as the most powerful of all nations, a nation which no longer sacrifices the good of the smallest to that of the greatest number, as the Cannibals of the South Sea Islands do, but which first gives to

each all the work he needs and then secures the greatest happiness of all by securing for each all the fruits of all the toil to which he turns a willing

XXVI

THE ASSAULT OF THE WILY PLAINTIFF'S COUNSEL
UPON THE NEWSPAPERS OF THE COUNTRY WAS
WHOLLY WITHOUT WARRANT AND UNJUSTIFI-
ABLE.

May it please your Honors, in their lengthy arguments before you, counsel for both these wily plaintiffs, the Importing Trust and the Exporting Trust, accused our newspapers, in behalf of the "extortions" of the "trusts," of being in league with the alleged "trusts" to maintain the tariff-dike without "revision." It is evident that learned counsel have not read the newspapers of late. If they had, they would observe that practically all the newspapers, of our great seaboard cities where "boards of trade" owned by these wily plaintiffs are located, and many of those inland, with one voice favor an early "revision" of the dike. We do not attack them on this account. Newspapers must, according to circumstances, take care of the interests of their constituents or their stockholders. They are neither to praise nor to blame for anything they print. They fill somebody's "long felt want," because filling it is money in their pockets. If newspapers are run by stock companies and these stock companies are formed to pay dividends, the newspaper so run must take that side of this battle between American Production and these wily plaintiffs which will pay

the largest dividends. Now, wherever the "trusts," that is to say, some branch of this defendant, American Production, have the greater interests and furnish the larger constituency, the newspapers must stand by the "trusts." On the other hand, in our large seaboard importing cities, where the greater part of newspaper constituencies is made up of importing houses and their clerks and employees, the newspapers necessarily stand by these wily plaintiffs. And this is also true of many inland newspapers with Importing and Exporting Trust connections. Newspaper editorials in either direction should be totally discounted by all thoughtful citizens; and the latter should look the whole ground over and think and determine for themselves as to whether logically, a man should expect more for the country and its people from an organization like the wily plaintiff, the Importing Trust, for instance, that never produces a penny's worth of wealth in this country, but merely awaits the time when there is wealth enough to skim off, as cream from our milk pans, while, through its newspapers it roots against high prices and the "trusts," an organization that never employs a dollar's worth of American labor, except for the purpose of storing and trucking our dollars out of the country; and whose whole campaign against this defendant, American Production, is carried on with the aid of the covetousness, envy, and hatred of our thoughtless and often ignorant citizens; or whether a man should expect more for his country from an organization like this defendant, American Production, which, although stigmatized by the name of the "trusts," employs millions of Americans in its mills, pays them the highest wages in the world, maintains this as a wage-100 country against a

wage-20 world, creates billions of dollars worth of wealth every year from our natural stores, and lays out every penny of its earnings in further opportunities to American wage-producers to realize their brightest hopes of a happy and care-free old age.

The newspapers, your Honors, follow a very natural course in speaking well of those who advertise the most liberally in their columns; and when these advertisers are German Steamship Lines, it is very natural that they should speak well of German Agreements that make the German Steamship Lines carry heavier cargoes into our markets here, even though these same cargoes silence our own factories and snuff out like sickly candles the homes and hopes of thousands of our citizens. It is also very natural for such newspapers to speak earnestly for "revision" and for "reciprocity," and for any other device for increasing the gains of these wily plaintiffs, their exacting masters. We say that this is a very natural course, for the selfish course is the necessary course and therefore the most natural. And yet we would not advise our people to throw away their Bibles just yet and pin their faith to newspapers who are compelled to pin themselves to the interests of the Importing Trust, or those of the other wily plaintiff, the Exporting Trust.

And in this connection, although we have touched before upon the same topic, we cannot neglect the opportunity once more to expose in our own way this cruelly treacherous claim that higher prices are due to the vicious and malicious combinations in restraint of trade called the "trusts," otherwise our client, American Production, the suffering host of its deadly parasite, the Importing Trust.

Your Honors, these wily plaintiffs are well

aware that the rise in prices, to which, to fire our people's hatred and cause them to aid in their own destruction, they so cunningly point, is world-wide, is not the work of American "trusts" and cannot be remedied here except by making the "price of coals too high, and of flesh and blood too cheap." These wily plaintiffs know that the rise in prices of the present industrial era is the same sort of rise in prices that always follows the general employment of all the people here at good wages. When labor is in such good demand it becomes dear as compared with money; and money being therefore relatively cheap and products made by labor dearer because of the dearer labor that makes them, it takes more money to buy goods. We might produce a formula stating the case in few words and short sentences, like this:

When labor is dear, money is cheap; prices are high.

When labor is cheap, money is dear; prices are low.

We could also reach the same point in another way, like this:

When wages are high, demand is stronger than supply, and prices rise.

When wages are low, demand is weaker than supply, and prices fall.

There is one peculiarity in the case, however, which should be noted, and that is when labor is in demand, wages rise more rapidly than prices; but when labor is not in demand, wages fall more rapidly than prices. This is because the wage-producer or laborer stands between the property-producer or capitalist and the product. When demand for products springs up, the property-producer must make terms with his wage-producer

before he can get at the profit in the product, and, measuring the profit ahead, and desiring to get into the market with his goods ahead of his competitor, he offers wages which will immediately tempt the wage-producer to do his work. On the other hand, when demand slackens, before the glut in the market is apparent and prices have had to fall also, it is the wage-producer who is first made to pay for the lessening demand by lower wages or total idleness. It therefore happens that it is the wage-producer who is first benefited when a higher tariff dike strengthens demand and the first injured when "revision" has spilled the American demand over the earth and drawn it away from our client, American Production.

We hear the respectful chuckle of counsel for the wily plaintiffs and their *soto voce* exclamation of surprise that from our declaration that the rise in prices has been world-wide we should so inconsequently turn to an explanation of how the tariff-dike causes prices to rise in this country. But, your Honors, we are not so inconsequent as we look. High wages in this country affect wages all over the world. For it must be remembered that, since we are a cost-100 country against a cost-20 world, the two billions' worth of goods which we are now annually importing, has as great a stimulation upon the call for labor in the outside world as the call for ten billions' worth of goods from our client American Production would have upon the call for our wage-producers; and that would mean an increased demand for goods by workers in the outside world equivalent to an increased demand by our workers upon our domestic market of ten billions of dollars annually. Is it surprising then that there should be a world-

wide increase in prices as a direct result of the Dingley Law which so increased the consuming power of our country that it annually lodges in the shops of foreign nations the equivalent of a ten-billion-dollar order?

One cannot help reflecting on the great loss in true civilization and in refinement in the better sense we are suffering now by the escapage yearly to other countries of this two-billion-dollar demand which could easily be responded to by our own wage-producers. And another thing should give us wholesome pause in this prodigality: We ourselves are feathering the arrow which will one day drink our blood. By sending abroad this ten-billion dollar annual stimulus to foreign enterprise, we are refining their processes and reducing their industrial system more and more to such a perfect bit of machinery that they will be able soon to do what they have never yet done, viz., avail themselves to the limit of the great difference between their wage-scales and ours and bring their cost of production into scientific harmony with their opportunity; which would soon make us choose between national annihilation and the total exclusion of foreign imports competing with our own products.

Your Honors, alluding again to combinations in restraint of trade, the greatest combination in restraint of trade, that is our domestic trade, in this whole world is this wily plaintiff, the Importing Trust. For the wily plaintiff has existed in this country so long and has been identified so much with its own hypocritical crusades against the "trusts" and high prices, otherwise as we have shown, high wages, that, by a sort of tacit sympathy, a wireless telegraphy of sordid sentiment,

it has made part of itself all the pompous doctrinaires in the country, so that each of them, in tearing down American prosperity and building up foreign prosperity, is just as anxious to do the work of the wily plaintiff as if he also shared directly in the division of that part of the American savings-bank fund which, by its anti-"trust," "tariff-revision" crusades, the wily plaintiff every now and then snatches from our wage-producers. One of these doctrinaires came off of a European steamship the other day, probably warm from the affectionate embrace of the German Kaiser and his hypnotism of the Sternberg brand; and said doctrinaire had no sooner left the gang-plank than an Importing Trust newspaper got hold of him and drew from him these wise words:

"I think that the present temper of the people will demand not merely the usual conventional platform pledges, but something definite in the way of constructive legislation.

"I think that, in the first place, the time has come when the Dingley tariff has got to be revised, in the interest of business itself, and not in any sense as an attack on business or as a disturbance to business. It seems to me clear that the vast majority of the people of the country of all parties virtually accept the protectionist principle, but financial and commercial developments of the last decade make it necessary to face without delay a revision of the existing tariff, and this revision not to be up—as some people are insane enough to suppose—but down. This can be accomplished without the slightest injury to business if it is done in a fair-minded and scientific fashion. The expanding business of the country needs every dollar to be a circulating medium, and the collection in tariff taxes of a larger surplus, which is withdrawn from the normal course of business, and offers a constant temptation to legislative extravagance, is unstatesmanlike and uneconomic. In my judgment, therefore, the Republican Party will be held by the voters and all the best sentiment of the party itself to a definite pledge of tariff revision."

Oh, your Honors, when will these scholastic gentlemen, who don't know a yard-stick from a

peck measure, learn that a mortar-board hat, a student's gown and a dip don't give them any license to "dip" into business matters. Fools rush in where angels fear to tread, your Honors, and here is this scion of a great college, who never had anything to do with the drafting of a tariff law in the world and knows nothing about the complex construction of the Dingley Dike, saying that the Dike can be "revised" downwards "without the slightest injury to business," "if it is done in a fair-minded and scientific fashion," when men who have labored over the question for years and years and have some idea of the sort of a job a man has to tackle when he tries to make the same stream flow up hill and down hill, at the same place, and the same moment of time, tremble at the mere thought of it and know as they know they are living that they never can approach that Dike with the declared purpose of "revising" it downward without bringing our whole business building down about our ears in a single night! But the hypocrisy of the claim of this chattel of the Importing Trust, that he believes in protection or in any tariff-dike that will save American industry from drowning, appears from a comparison of his words just quoted with those of the Democratic Party, the open and frank enemy of Protection, as set out in its national platform in 1904:

"We denounce protectionism as a robbery of the many to enrich the few and we favor A TARIFF LIMITED TO THE NEEDS OF THE GOVERNMENT ECONOMICALLY, EFFECTIVELY AND CONSTITUTIONALLY ADMINISTERED."

Thus, the Democratic Party, the Party of absolute free trade. Now listen to Dr. Nixie Butter,

President of the great Columbarium College, as just quoted:

“The expanding business of the country needs every dollar to be a circulating medium, AND THE COLLECTION IN TARIFF TAXES OF A LARGER SURPLUS, WHICH IS WITHDRAWN FROM THE NORMAL COURSE OF BUSINESS and offers a constant temptation to legislative extravagance, is unstatesmanlike and uneconomic.”

Both the gentleman of the cap and gown and the old free trade donkey, the Democratic Party, the political cats-paw of these wily plaintiffs, are in accord in the statement that the tariff should be no larger than sufficient for the “needs of the Government economically administered.” And the gentleman with the dip thinks the surplus in the Treasury should be dipped out by drowning American industry with a downward “revised” dike—just like the Importing Trust exactly—although “revising” the dike *upward* would prevent a surplus more surely than a “revision” *downward*. Isn’t it rather a singular coincidence, your Honors, that, if this gentleman is a truly and really protectionist, to cut off the surplus he should demand the sort of a treatment of the dike which will surely throw our savings bank fund into the clutch of the Importing Trust, instead of a treatment which would as surely cut off that horrid surplus and at the same time double our savings bank fund in a few years? Are you a good protectionist of your garden when you take down the fence which already is so low that the cattle reach over and crop the ears out of your sweet corn, rather than build it up so high that the cattle cannot steal any of your vegetables at all. If you did not see the face of the man who said it but only heard him say through an opaque

screen, that the fence of such a garden should be taken down to improve the drainage, would you not think it was the owner of the cattle or his man Friday who spoke, rather than the owner of the garden, your Honors? We think you would think it was the party, whoever he was, who wanted the cattle to steal more corn and cabbages, if he said that, to give the garden better drainage, the fence must be "revised" downwards rather than upwards, when the fence had nothing at all to do with the drainage. And this is what this Dr. Nixie is your Honors, simply the man Friday of the Importing Trust, which will get our whole industrial garden the moment we "revise" downward the Dingley Dike.

But the case against this man Friday of the wily plaintiff, the Importing Trust, is still worse, either for his information or his frankness, when the fact is known that there is no surplus in the Treasury "withdrawn from the normal course of business;" and for the reason that, through the medium of the banks who deposit bonds to secure them, these surplus treasury funds are sent into circulation again and the "business" of the country does not suffer at all, from there being such a surplus; for "business" uses it. Furthermore, your Honors, the surplus in the Treasury, even if it were not actually in business circulation in the way described, being less than \$100,000,000, is not a circumstance to the reserves held constantly out of circulation by our savings and other banks. If keeping money from circulation were the only fault to find with this tariff-dike which is the life and soul of all American business, why do we not contrive some way of first getting back into circulation the savings bank and

other reserves, which aggregate ten times as much as the Treasury surplus which is really in circulation? Your Honors, when there are so many better and surer ways of keeping the treasury surplus in circulation than drowning out American industry through a "revised" dike, and yet the downward "revision" of the dike is said to be the only thing for the case, this being too the only method by which the dipping out of the treasury surplus will at the same time dip out the people's savings into the till of the wily plaintiff, the Importing Trust, it does look as if the real object of thus dipping out the treasury surplus was the turning over of our savings fund to the Importing Trust. We do not believe college presidents are fools, your Honors. We would far rather believe they are knaves in this kind of tariff "revision" talk, and we frankly do. There is some selfish interest somewhere in their horizon, which they think will be better served by standing with the Importing Trust than with the American-Production party, whether that interest be social or financial; whether it be the fact that their liberal backers in their educational ambitions are members of the Importing Trust, or they merely want their backs comfortably scratched by some of the savants, chattels of the Importing Trust, whose laudation is grateful to their senses—such senses as we are permitted to suppose they have, after having demonstrated to us that they think the industries of this country can be drowned dead by a tariff-dike downward revision and at the same time be built up higher by a tariff-dike downward revision. To think of it, your Honors! A man trusted to teaching the young ideas of this country how to shoot, who does not honestly know that,

by a lower tariff, to increase competition between a cost-100 country and a cost-20 world is to destroy civilization in the cost-100 country by exactly the increase in competition! Do you wonder, your Honors, that we charitably said this man did not know a yard-stick from a peck measure? And yet this is the kind of an impressive Buttinsky which the Importing Trust is always employing to stalk American industries with. He is a large bass-drum but he is little music. He may impress the boys of business; but the grown-ups don't see anything but bombous pomposity in his sonorosity and in his cap and gown; and as for his dip, it isn't worth in business as much as a single one of the other kind of dip made of good tallow.

Have you ever noticed, your Honors, how these wily plaintiffs and their chattels loftily ignore profits as the mainspring of business when they are snaring in the people? You would not think the Importing Trust, or its wily associate in this case, the Exporting Trust, would ever stoop to so "selfish" a thing as a profit. For when an American industry objects to "revision" downwards, or to a reciprocity treaty because either would surely take the profits out of its business, the wily plaintiffs, by their newspapers, say it is "selfish," it is "narrow," and it would set back a great good to the whole country just to save its own contracted "interests." If an American industry is not selfish in the direction of a profit, it is as good as a dead industry, your Honors. And the American industry that, being a cost-100 industry, did not object to being exposed by "revision" or "reciprocity" to competition with a cost-20 world would be worthy of its fate. Yet these wily plaintiffs make believe the world is not so made up that

the first business of any one, man or mouse, is to see that there is no interruption in the current of food into his stomach; and these wily plaintiffs are so elusive, appearing now as a missionary, now as a clergyman, and again as a college president, or a professor of economics, and again as a board of trade, or a manufacturers' association, with all the art and address of a Mephistopheles, that they often deceive the elect themselves and cause otherwise sound and sensible people to fall in with the idea that our business men are very wicked to be so "selfish" as to stand in the way of "the greatest good of the greatest number" and incidentally to the flowing of our savings bank fund into the pockets of these wily plaintiffs. But, nevertheless, your Honors, it is our idea that this whole question as to our tariff dike is a simple business question, for business men to settle. It is upon the shoulders of business men that the destinies of this whole country rest. And we understand a business man to be any one, man or woman, who is directly interested in our great client, American Production; and this covers every wage-producer, every property-producer, and every adjunct-producer in this country; and these embrace our whole active population. And the country's pay-roll, your Honors, as we think we have said before, is not merely the list of our wage-producers who are employed in our various industries, but it is the entire list of all our active people covering everybody who works for a return, whether you call it wages, salary or profits. And our wage-fund is the entire volume of money which changes hands from day to day, exchanged by our own people for American goods or for American services of whatever kind. From this standpoint of ours the wage-volume is the business-volume of

the country. Now, your Honors, you cannot "re-vise" our tariff-dike downwards against the cost-20 world and oppose its raging flood of surplus cost-20 with our cost-100 products without supplanting the services of millions of our workers by the services of workers abroad, to the abrupt contraction of our pay-roll, our wage-fund, and our business-volume. And, on the other hand, to save your lives, you cannot build our tariff-dike to heaven without shutting out foreign goods, employing our own people at higher wages, and increasing the wage-fund, the wage-volume and the business-volume at the same time. From circumference to centre, from bark to pith, and from pith back to bark again, this American forest monarch is a business tree and the deadliest woodsmen in our whole horizon, who threaten with the sharpest of axes, to reduce our tree to commercial logs, are these wily plaintiffs, the Importing Trust and the Exporting Trust.

XXVII

THE OBJECT OF THE PRESENT SUIT IS NOT ONLY TO ENJOIN THE PLAINTIFFS AGAINST THE FURTHER PROSECUTION OF THEIR NEFARIOUS TRADE BUT AS WELL TO DETERMINE AN INTELLIGENT PLAN OF NATIONAL DEVELOPMENT.

May it please your Honors, we are loath to trench further upon your valuable time in this matter; but we feel that, in passing upon the merits of the diverse contentions here adduced, all we have said would be of small value to this Court unless we at least made an attempt to formulate some system

according to which we may live in the future. Your Honors, the desire of every nation, considered as a concrete entity, must be to go forward to a more prosperous condition; and to put away from national experience as far as possible all those vicissitudes which in the unripe past have now and again brought the nation to weakness, despair and internal woe. But the nation, as a nation, seems to have no memory, your Honors; and no matter through what dreadful experience it may have passed, and no matter how obvious are the causes by avoiding which such experiences never could have taken place, or could take place again, the nation as a nation sees them not. Considered as a nation, it has no association of ideas, no recording brain-cells. And that accounts for the fact that, knowing their book and their role, after having cast the country into the depths of distress as they have done many times, and after having plundered our people so cruelly that at last they have arisen in their blind might, cast out the plaintiffs, or either of them, and once more built the broken dike anew, these wily plaintiffs, particularly the wily plaintiff, the Importing Trust, await with such certainty and serenity the lapse of a few brief years ere renewing their assault upon the people's citadel, the tariff-dike, knowing full well that, when a comparatively short time has passed, those who took part with most pangs and heart-wrenchings in the last industrial funeral will have passed away or have left but a minority of their like behind; and others, young and foolish, with no recollection of the vivid destruction which attended the last success of these wily plaintiffs, will have come into the places of power to control the fate of this devoted

land; and that upon these fresh and fervid young minds, largely suffering from *megaloccephalus adolescens*, they can make anew the warm impression of enviousness and covetousness, by pointing to the "trusts," our client, American Production, as the source of the greenness of our new and succulent crop of voters, and the condition which compels them to earn their money before spending it for lollipops. It is in this way, because the nation has no memory, and because men with memories must dwindle and die, that these fell disturbers of our happiness and wreckers of our homes are enabled to get one inning after another before our people, and knock the ball over the fence. They have reduced the operation to an exact science. They know just how long to lie low after the last robbery; just when to crawl into view again, and just when and how strongly to turn on the campaign for tariff "revision"; just how many college professors and other heavy intellectual guns they need to have interviewed, with their portraits in the papers, emitting fire, smoke, lava, and red-hot cinders against the "exploded fallacy of protection;" just when to turn on the full newspaper chorus against the "trusts" and the psychological moment at which to say, "The people are sternly demanding an early revision of the tariff," *a la* Dr. Nixie Butinsky, President, etc. And it is because we older fry must soon pass from the scene and leave our youngsters to be preyed upon and victimized, as we ourselves before them were preyed upon and victimized, by this brace of arch bunco-steerers and green-goods men, the Importing and Exporting Trusts, that we desire to inaugurate a system whereby the younger generation may be uniformly in-

structed in this most momentous matter and avoid falling into the net of these century-old conspirators, these wily plaintiffs, the only remaining slave-traders of the world, against whose lust for trade even our cradles are not safe.

To this end, your Honors, we desire to formulate such a statement of the true conditions of trade in this world as will appeal to the understanding of every fairly intelligent person, of whatever sex, color, or previous condition of ignorance and conceit. And this is the direction our efforts shall take.

The one thing needful for national prosperity is a plenty of opportunities to produce at wages in order to consume at prices. In fact, these opportunities to work are the only condition of our existence. But, fortunately, the natural desires and necessities of humanity furnish these opportunities; and the opportunities arising in every community from this cause are sufficient to furnish the people of the communities all the opportunities necessary to earn the livelihood of that community. All that takes place is, by means of money or wages, the exchange among the people of the opportunities to work furnished by the people. In producing a certain form of goods, each worker works for himself directly and for all the rest of the community by proxy. In other words, each worker is the active agent of production of the entire community. If all communities had attached to them a sufficient amount of soil and of forest and mining land, to produce the food and the basic materials of production for the community, and if no part of the product were squandered in foreign trade, and no draft on local labor were cancelled by an invading foreign supply nothing could prevent each such com-

munity from being forever in the midst of plenty and happiness. There would not be excessive wealth on the one hand nor great poverty on the other. The trouble with us is we did not know enough to begin this way. We are away off the track; and to get on the track will cost a good deal of steady work. To get on the track would need a prohibitory dike against incoming foreign supply and a prohibitory dam against outgoing domestic supply. That would bring us around automatically and in a jiffy to the ideal condition of which we have just spoken. Let us see why from a very cold business point of view we need that dike against foreign supply.

We have to have property-producers employing wage-producers, do we not? And property-producers will work in our country if they can make as good a profit there as elsewhere, or a little better, will they not? Well, what would happen to their capital if, having settled among us we by a low dike exposed them for their cost-100 goods to cost-20 foreign competition? Would not their capital go abroad in the form of payments for goods sold our people by the wily plaintiff, the Importing Trust? At any rate, in competition with cost-20 goods the capital laid out in cost-100 goods would not get back to our property-producers. That part of their capital represented by the labor-cost in their goods, would be spent in our markets by our wage-producers for Importing Trust cost-20 goods, and would go out of the country to the property-producers abroad, whose capital and whose profits would thus get back to them in the shape of the capital of our own property-producers which had been spent as wages; and the cost-100 goods made by our prop-

erty-producers would either remain unsold or be sold at cost-20 also, and so at a loss of 80% of the actual cost. But in any event, a tariff-dike downward-"revision" would end with the lodging of our capital in the cost-20 world outside. For what our sensible property-producers would do, the moment a downward "revision" by Congress was certain, would be to close all their factories and take what capital they could save and go abroad with it in to the cost-20 world, build plants there and join the general assault upon our savings-bank fund; then when our people had awakened from their hypnotic slumber and realized that our "trusts" were American Production as a whole; and had once more driven the money-changers of these wily plaintiffs from the Temple of American Industry and banged the door shut with a tariff-dike higher than ever, our exiled property-producers, having saved some of our money for us by joining the Importing Trust in its looting of our treasure house, could come back and open their American factories again.

As we have said before, there is no doubt that many of our property-producers have already started factories abroad, both to get inside the tariff-dikes of foreign countries, and to be ready for a "revision" of our dike and to share in the benefit of joining the Importing Trust. It seems to us, your Honors, as if we had clearly shown that capital cannot work in a cost-100 country in competition with a cost-20 world. And it also seems to us that unless capital settles in the place of the lowest cost of its goods, it will be in danger of being scattered in the way we have described in our own case. We, therefore, submit the following principle as the first of our general system:

1. Capital desiring a given market for its output must finally locate in the area of lowest cost of production for that market.

It would seem to us, your Honors, that any nation looking for the philosopher's stone of prosperity, would be attracted by the principle just stated. For a nation's prosperity must surely be directly in proportion to the proportion, distributed among its own workers, of the opportunities to work caused by the needs of its own people; and to have such opportunities to work, it must have within its borders enough busy capital engaged in property-production to employ the greatest possible number of its wage-producers. But to have such busy capital some steps must be taken to protect it against imports from countries whose cost is lower, whether from climate, from greater industrial maturity or from cheap wage-producers. The device which has been generally adopted to take away from foreign property-producers their advantage in lower cost, is that of a tariff-dike, such as our own. But whether the tariffs of other countries, by being so high as to make the home country the area of lowest cost of production, have answered the principle or not, our own tariff-dike has never risen to that height of common sense; for its only object, as declared by leading lights of the Republican Party, is to equalize the foreign wage-cost with the American and not to give the American a better chance in his own market. The American has been too hospitable: he has stood up so straight in his hospitality that he has leaned over backward and been foolishly and at least not humanely unjust to himself. There is no good reason why the people of a country should not be best entitled to their

own country and the total wealth represented by its domestic market. But our property-producers, and through them our wage-producers, by fixing our tariff-dike only high enough to give Americans as good a right to their own market as people abroad, are left exposed to a destructive competition from a cost-20 world. The fine Italian hand of the Importing Trust, the wily plaintiff herein, is visible in this, your Honors. It never slumbers or sleeps; and its lobbies in Washington fight every inch of the ground which American Production tries to wrench from it, even though our client struggles for but the merest justice to our property and wage-producers. And so our tariff-dike is built so low that every improvement or economy in methods of production abroad is reflected in a great deluge of foreign goods bounding over the dike and sowing the seeds of idleness and hard times among our workers. A merely protective tariff of this nature can have no place in a scientific system aiming at continued prosperity. For since it is only a set-off for the time being against lower wages abroad, without leaving any margin against advantages to foreign producers in more compact organization or cheaper materials, it may leave our market exposed to a frightful inundation within any given twenty-four hours. An inundation of this sort is going on now, even while our college presidents are opining that the tariff-dike should be "revised" downwards. Yea, your Honors, we have truly spoken in saying that the wily plaintiff, the Importing Trust never slumbers or sleeps. It never for a single second in the year takes its eye off of our savings-bank fund. It is a burglar that never forgets its burgle.

The principle we have just stated, your Honors, as to the necessary location of capital where it can get the lowest cost in production, applies universally; but it does not hint to us any rule to follow in determining whether its operation at any given point would be harmful to capital located there. We know as a fact that capital cannot remain fixed at any point except where other capital cannot undercut its market. It must gravitate, as a matter of course, to the area affording the lowest cost of production for its market. But, as a final proposition, where must these areas of lowest cost be? Why, your Honors, where else than the places where cost of subsistence is the lowest? Of course, your Honors, there is subsistence and subsistence. There is subsistence for the man and subsistence for the mouse; and our profound political economists tell us that it pays better to feed the large, intelligent, active man than it does the smaller and more ignorant one, even though the latter eats but a fraction as much; because the larger and better man does enough more work to pay for the difference in the food bill. But then, your Honors, we may discount differences in individual workmen and say that, when we say that his cost of subsistence is the cost of his production, the workman to whom we refer is the perfect workman in his craft, when the last word has been said and the last deed done towards making the workman just muscular, skillful, and intelligent enough to do the greatest amount of work on the least subsistence, a greater amount of muscle, skill, or intelligence being of no advantage and a subsistence better either in quality or quantity being of no avail. This being granted, then, our next step is to inquire how to determine where these favored places of lowest cost of

subsistence are. Of course, the answer must be, Those places where soils are the richest and deepest, where suns are the kindest and most constant, and where agriculture is most mature. Now, as to the specific localities where these soils and suns are to be found, we can only make a broad general rule. We know that soil is simply animal and vegetable mold; that is, the remains of organic life; and naturally such mold will be the deepest and richest where organic life is and for a long time has been the most abundant. But these localities must also be where suns are kind and constant; for the sun's heat is at the root of all organic life, and might almost be said to be its creator and sustainer.

Aside from food, the sun's heat, too, whether greater or less, figures in the cost of subsistence; for the cost of clothing and shelter vary with it. Here, then, is a clue for us to follow; and if we find where the sun is the kindest and most constant, we will know where the cost of subsistence is naturally the lowest; and to do this in a broad general way is the easiest thing in the world. For if we are north of the equator, all we have to do is to travel towards the south to learn that, as we go, the sun becomes stronger and stronger, summer longer and longer, and, as a matter of course, winters become shorter and shorter, until we have passed the tropical line and come to a land of perpetual summer. If, on the other hand, we should turn about and go northward, we would find shorter and shorter summers and longer and longer winters until we arrived at a point of perpetual ice and snow. Now remembering that degrees of latitude are counted from 1 at the equator to 90 at the poles, we can easily state the rule, cost of subsistence varies directly with the latitude between the poles

and the tropics. This is a very broad, general rule which we may use later, remembering in connection with it that, within the tropics, at least theoretically, there is a uniformity of solar heat and of fertile soil.

But we are still very imperfect in methods of production. We are unripe industrial creatures; and wages the world over vary in the degree to which they return to wage-producers the muscular and nervous fibre consumed in producing; this inequality arising from the way in which our present system abandons helpless workers to the results of that withering competition between merchants, which plays one man's worst necessities against another's; and because of these things we must notice that pay-rolls vary, not uniformly according to cost of subsistence, but according to the degree of congestion of wage-producers upon the various fields of industry, and the degree to which foreign competition has been added to crowd wage-producers to a point where they are gradually being defibred and exterminated; which, as the result of Free Trade, is the case of so many British workers at the present time. It is very plain that before the industrial world has fought out its battle and all methods of production become the same and wage-producers have been brought to a uniform condition, there will be a long time in which cost of subsistence will not correspond to the pay-roll, and that, as far as the property-producer is concerned, it would be nearer the truth to say, The cost of the pay-roll is the cost of production, than to say, Cost of subsistence is the cost of production, although, in the fullness of time, the latter statement will be universally true. For the present, therefore, it will be correct to say that the pay-roll represents the cost

of subsistence; that is, such subsistence as the wage-producer may enjoy. Now, inasmuch as it is the wages paid to producers and spent by them in the market which exactly determines the volume of "business," the pay-roll is the measure of a country's business. We are now ready to draft the next section of our rule or "law" indicating the movement of capital, something in this form:

2. Cost of subsistence is cost of production and is represented by pay-rolls, which are the measure of what is called "business."

And from what we discussed together a few moments ago, we may add another section, like this:

3. Outside of the tropics, naked cost of subsistence varies directly with latitude; while within the tropics it is uniform and lowest.

Ah, your Honors, we hear once more the sneering yet musical titter of counsel for these wily plaintiffs; and again comes the stage whisper of counsel for the wily plaintiff, the Importing Trust, saying that, because the enervating climate of the tropics kills energy, the tropics never have competed and never can compete with the temperate zones. This is only a continuance of the tickling tactics of these wily plaintiffs by which they try to make us so pleased with ourselves and them that we will tear down our tariff-dike and add to their private fortunes. But we have a few remarks to reply to this tickle which we beg humbly to submit.

In the first place, what man has done, man can do. Massive ruins long buried in the tropics cause us to wonder why, if man did that sort of work in the tropics in times past, he cannot do as well or better now. Is the sleeping sickness any worse in the tropics now than then?

In the second place, there are now living in the tropics many, many millions of strong, industrious and intelligent workers, upon whom the torrid heat makes no apparent impression for the worse. They are called coolies. They do anything in the world you ask them to do and do it well. And they do it for from 2c. to 10c. a day.

In the third place, it is found that it is not the heat but bad insects, miasmas, and habits, which make the tropics worse for whites than blacks; and that all these things can be so corrected as to make the tropics as healthful for the Caucasian as the temperate zones. On this subject, Col. William C. Gorgas, of our boys in khaki, spoke, in June, 1907, at Cornell University, as follows:

“I think that sanitation can now show that any population coming into the tropics can protect itself against disease by measures that are both simple and inexpensive; that life in the tropics will be more healthful than in the temperate zones; and that gradually within the next two or three centuries tropical countries, which offer a much greater return for a man’s labor than do the temperate zones, will be settled by the white races, and that again the centres of wealth, civilization and population will be in the tropics, as they were in the dawn of history, rather than in the temperate zones as at present.”

In his report on health conditions upon the Isthmus for July, 1907, dated August 14, at Ancon, the same gentleman says:

“There has been no quarantinable disease of any kind originating on the Isthmus. The last case of yellow fever in the city of Panama occurred in November, 1905, twenty months ago; the last case on the Isthmus in May, 1906, fourteen months ago.”

And this report in spite of the fact that there were there on the Isthmus 38,000 men digging the Big Canal, exposed to those terrible tropical suns of which, when it pooh-poohs our dike as a protec-

tion against tropical production, the Importing Trust makes so much. The same report says that the death rate among the Canal employes for 1907 was but 16 per thousand, a mortality but a little over one-third as high as that of Shreveport, Louisiana, in this land which turns up its nose so high at the sickliness of the tropics.

So much for this expert's opinion and for his official report on this subject; but can we not add something from our own experience? Even now, without any special measures to improve tropical health, can the worst tropical countries in the world be much worse than our own climate, with its sizzling heat in summer and its wizzening cold in winter? Will not our heat prostrations, our cholera morbus and general debility of summer, and our throat and pulmonary diseases of winter run tropical fatalities pretty close?

In the fourth place, all tropical countries of any extent can show us high table-lands, where even Caucasians, without any acclimatizing, can work with the greatest comfort and safety; and, in the tropics as a whole, there is a total of such table-lands large enough for all the factories on earth at the present time, with enough such lands left over to accommodate the world's growth for a thousand years; and these factory sites are only a half-hour's trolley ride from levels where food is grown in true tropical cheapness.

In the fifth place, with the tropics remaining as unhealthful as counsel for the wily paintiffs now say they are, tariff-dike "revision" would compel wage-producers to look for work in such countries. For here and there the tropics would be exploited by industrial captains from the temperate zones where competition had become sharp, who would

cut into temperate-zone markets and throw wage-producers out of employment; and these wage-producers thus made idle and without hope of re-employment at home, even though the chances of long life in the tropics were against them, would wander in greater or less numbers into tropical countries and take up work there. For even in this and other non-tropical countries, people work in sugar refineries, in steamship holds, at needle grinding, and steel puddling, and in other deadly employments, well knowing that their work will kill them soon. And why would not desperately idle wage-producers risk the tropics?

So much for the littleness of the tropics as an adversary of temperate climates.

But again the quiet cackle of the learned counsel for the Importing Trust. He whispers that to believe what we say about cost of production varying directly with latitude would make the South in our country the early ruler of us all. And so it will prove, your Honors; in wealth and population. But the population will go there from abroad, as it is going now; and from the North, as it is also going now. Let the tariff-dike be raised higher instead of cut down lower, and our own Sunny South will bloom as never before. She can coin her climate into shining ducats and, if the dear girl pleases, with her golden stores, soon purchase the whole bleak North at auction.

And the gravitation of our Northern capital and population to the South will keep on until the South is the centre and hub of all the wealth, intelligence, and beauty of this country; and the tide will never turn until, population becoming over-dense there, the price of land will rise and so raise the cost of production in the South that the portions of the

country nearest its confines can produce as cheaply as there; whereupon population will become dense also in the new region; and so margin after margin next to the densest population will be taken up and made as dense, until the whole country will have become homogeneous in wealth and population. With a higher tariff-dike and the cutting off of Cuban, Porto Rican, Hawaiian, and Philippine competition, this must be the natural course. But cut down the dike ever so little and tropical cheapness will overshadow our South as it does our North and its day of glory will be indefinitely postponed.

And, your Honors, "revise" downwards the tariff dikes of all countries, and you make the whole tropical belt the "Sunny South" of the earth, and all the capital of the world would gravitate thither and all the movable population would follow. Unless tariff-dikes were universally restored as against the tropics, the destruction to life and to property values in the temperate zones would be cataclysmal. The mortality among the young and the adult weak would be like a continuous massacre. And the migration on the one hand and the slaughter on the other would go on until nothing was left of the temperate zones but wildernesses inhabited by savages, with faint traditions of civilization; and the wildernesses would be owned by absent grandees and ruled by hired cut-throats from medieval fortresses and castles. This is a sure thing, your Honors; and what can we think of our people, if, at the command of the Importing Trust, and to take refuge from our client, American Production, they consent to go a single inch along that downhill road!

To return now to the construction of our system, we are aware, your Honors that what we have said

is a broad generalization. Cost of production certainly must vary with latitude in the average case; but we shall anticipate the next chuckle of wily plaintiff's counsel and say that as between any given area in the tropics and a similar area outside of the tropics; or between similar areas, one in a lower and the other in a higher latitude, other circumstances than latitude, which we shall call "handicaps," might even give the higher latitude the advantage. And we are also aware that, as to countries some of which have high and others low wages, because of one circumstance or another, those of the high wages may produce some kinds of goods more cheaply than those of the low. Now, your Honors, in view of what has been said, there seem to us to be three general cases in which capital must gravitate from one country to another, or, even in the same country, from one place to another. These three cases are where the competing countries are in the same latitude; where they are in different latitudes; and where there is a tropical area in one or both countries. But considering the fact that there are "handicaps" which may rob latitudes and low pay-rolls of their advantages, before stating these three cases, we must provide for exceptions to our rule. This we do by this paragraph:

4. If differences between pay-rolls or latitudes in competing areas of production be not offset by handicaps, the following will be true:

And we will follow this saving clause with the three cases described. And the first one is this:

A. If such areas are in the same average latitude, capital will gravitate towards the lowest pay-rolls. The higher pay-rolls will contract, while the lower will expand, until pay-rolls and their incident business have become equalized throughout the competing areas.

As we have said before, this migration of capital may take place within the boundaries of a single country, as well as between two separate countries, trading freely with each other. This rule accounts for the movement of factories away from cities, when city pay-rolls get too high, pay-rolls in distant country districts often being so low as to offset added freight costs and leave a balance to the credit of the country mill. Of course it is true as between two nations; and it has often been illustrated under free trade or low tariff-dikes in this country, during some momentary success of the Importing Trust. Our capital has moved regularly to Great Britain and other countries during low-tariff eras; and the only thing which prevented the final leveling of our pay-roll to the plane of the British or worse pay-rolls was the downing of the Democratic Donkey here and the casting out of the Importing Trust from our council halls. Such movements of our capital outward through tariff-dike "revision" always introduce what we call here "hard times" or "recessions in trade."

The second case is this:

B. If such competing areas lie in appreciably different latitudes not in the tropics, capital will gravitate towards the lowest latitudes; and pay-rolls and their dependent business will be destroyed everywhere, except in that area of lowest average latitude large enough to furnish products equal to the weakest consuming power of the combined areas.

The working of this rule is shown in our own country by the migration of Northern capital into the South. Great blocks of capital have gone there and been put to work in the iron mills of Birmingham and other places and in the cotton mills throughout the South. We have already described the manner in which this movement must continue

and what the result will be unless the tariff-dike is "revised" in favor of still lower latitudes. The Cuban Treaty was a sad blow to our Sunny South; and another blow is in sight in free trade between us and the Philippine Islands. Our South is a glorious country, but it cannot compete with the tropics. Free trade between our own North and South will cause a change so gradual in the locality of capital that it will probably not be violently felt in the North. The assimilation will be slow and benevolent; whereas "revised" competition between our people as a whole and the Philippine Islands or Cuba would be marked by the rapid destruction of industrial values all over the country.

The third case is this:

C. If tropical areas are included in the competition, capital will gravitate thither and monopolize production, to the utmost combined producing capacity of such areas. Pay-rolls, business, and the higher civilization will be extinguished everywhere in such competing areas, except in the tropical parts, and in whatever area of lowest average altitude outside may be necessary to make good any shortage of the tropical parts in yielding products equal to the weakest consuming power of the combined areas.

This rule has long been well illustrated by the movement of our own capital into Porto Rico, Cuba, Mexico, Hawaii, South America, and the Philippine Islands; the reason being that the cost of production is so much less in these tropical areas than in our own country that the tariff "handicap" does not sufficiently offset their advantage of latitude; and therefore our capital "gravitates" southward. As an instance of this migration, we give the following from a New York newspaper:

"**CHIHUAHUA**, Mexico, July 21.—The concession which was recently granted by the State Government to

Col. W. C. Green of New York for the establishment of various kinds of industrial enterprises in this State has just been ratified by the Legislature. The concessions call for the investment of more than two million dollars in gold."

And at a later date, we read in the editorial columns of the same newspaper, under the caption, "Secretary Root's Journey to Mexico," the following:

"Our relations with Mexico are close and cordial. The Secretary's visit will strengthen the bonds. Development across the Rio Grande during recent years has been almost marvellous. This country is deeply interested in that development"—

that is, the Importing Trust is "deeply interested" in the profits in the development, your Honors. It is a frightful menace to our wage-producer. But the article continues:

"This country is deeply interested in that development and has contributed towards it and shared in it in abundant measure. It is reported on good authority that not far from \$750,000,000 of American money is employed across the border"—

Yes, your Honors, to take employment from our wage-producer and to send delegations to Washington to lobby for a reciprocity treaty or a German Agreement with Mexico for the free admission of their goods to snuff out industry here.

It needs but half an eye, your Honors, to see how badly our domestic business is being undermined by the gravitation of our capital to lower cost-levels and the withdrawal from our own funds of what might otherwise have come into our own pay-rolls. But this is not all, your Honors; for in addition to this indirect loss to our business, this emigrating capital goes out with no other purpose than to make goods at these foreign wage-levels and

bundle them back over our tariff-dike, and thus cause a direct loss to our pay-roll and therefore our business, equivalent to the domestic production supplanted by the goods sent in here by our expatriated capital in Mexico and otherwheres. By this expatriation of our capital, the destruction of our prosperity, your Honors, and therefore of our civilization, refinement and general virility, is almost by geometrical progression. Instead of widening we should close altogether the breach between the quantity of work we are doing now, and what we should and would do if we did all our people required for their needs. If we closed our ports and kept at home the from 2 to 5% of our goods which we now export; and ourselves made the goods we now import, the gain in our domestic business would offset many times over our loss in foreign trade.

XXVIII

THE UNITED STATES OF AMERICA HAS NO BUSINESS WITH TROPICAL COLONIES, OR WITH TROPICAL TERRITORIES TO BE LATER MADE INTO STATES. THE EFFECT OF SUCH A POLICY WOULD BE TO SACRIFICE OUR WHOLE WAGE PRODUCING POPULATION TO THE AVARICE OF THESE WILY PLAINTIFFS.

And right here, your Honors, it may be well to inquire what business we, a benevolent Republic, have with subject possessions. We must not forget that we are neither a Roman Republic nor a Roman Empire—that is, not yet. We have no right, by taxes or tribute of any kind to “milk” our subject-provinces. We have no right to exploit

them as the private graft of our Exporting Trust, as England for the benefit of her Exporting Trust, exploited us when we were English colonists. As far as we can see, however, it is in the interest alone of our Exporting Trust, as to exports to, and of our Importing Trust, as to imports from those islands that we should keep them at all. On the one hand all these tropical islands, which are a part of us, and Cuba, our adopted daughter, are a menace to us; and on the other hand we are a menace to them. As long as we hold them or have any right to interfere in their affairs, our Exporting Trust will be turning every stone, no matter at what cost to home production,—as instance the \$66,000,000 a year we are giving up by the Cuban Reciprocity Treaty,—to get the inside track in selling goods to these islands, and to postpone the day when they will found their own manufactories and develop their own natural treasures; and in this way we are assisting to exploit them against their own best interests which lie in their shutting out our goods and in their consequent symmetrical development of industries and the creation of an industrial population in those islands which, for all their products, will make for them a sure and perpetual market. On the other hand, unless we cut adrift from our tropical possessions and aggressions, our Importing Trust will rack its head sick contriving hard luck stories as to these “poor little struggling peoples,” the upshot of which will always be the same appeal to Americans to take down the tariff bars and give the unhappy little colored people a “much needed market;” and the American people, forgetting that they have no right whatever, under the Constitution or under the law of God, to be generous before they are just and

to give these little colored people alms by picking the pockets of countless American wage-producers, will enter into some fool treaty, like the one with Germany, or the one with Cuba, which, by giving this wily plaintiff, the Importing Trust, a chance to sell here in our own domestic market cost-10 goods from the tropics, in competition with our own cost-100 goods, will kill off hope, health, happiness, and often life among our fellow citizens here. And while these wily plaintiffs are getting more wealthy from forcing those islands into an abnormal development and its later misery for the islanders, they are filling our newspapers with their lamentations at the "selfishness" of our beet-sugar makers, who object to being sacrificed to the tropical philanthropies of the wily plaintiffs. This is all according to the arrangement of their brain-cells, your Honors, which merely comes from their peculiar environment, a part of which is the presence here of a crowd of tender-hearted people like us who are always willing that health-giving boils should grow on our neighbors' necks and that our neighbors' pockets should furnish the alms for the giving of which we expect to get credit. We are a lot of wretched hypocrites, your Honors; we believe in fasting and prayer for our spiritual up-building—if we but be allowed to do the praying, by the absent-treatment route; while the other fellow does the fasting.

Very seriously, your Honors, we have no right to exploit our colonies. The only decent course towards them is to cut them out of exporting goods to us and ourselves out of exporting goods to them; by raising our tariff-dike very high against all the world, them included; and raising their tariff-dike against all the world, ourselves included. If we

do less than this, we shall make them the victim of our two parasites, the wily plaintiffs, the Importing Trust and the Exporting Trust. Our tropical islands will be the object of continual exploitation by these destructive agencies; and we ourselves shall suffer from the distortion of our industries and the congestion of our wage-producers upon manufacturing alone. Because of the destruction of our agricultural industries from competition with these tropical colonies and their endless summer; and, because of the superior organization of our manufacturing industries, they will suffer, though only for a time, by a like congestion of their wage-producers upon agricultural industries alone. And thus both our wage-producers and theirs, practically the entire population in both competing areas, would be more or less abjectly enslaved to their bodily necessities. But for us the end of it all would be, either a dike excluding their goods altogether, or the total destruction of our entire industrial system, for a cost-100 country would finally be underbidden all along the line by cost-10 colonies, gifted as our colonies are with all the natural materials for manufacturing of every kind.

Your Honors, we rejoice in our good Mother England. We have had a couple of set-toos with her since we cut her apron-strings; but that was only natural. Who would blame her for trying to bring back to her heart such a likely kid as we are? But Mother England is afflicted with brain-cells also. She does not do as she will but only as she can—considering her peculiar brain-cells. And so she has given us good examples of the sort of mistakes that we, her children, forty-six sovereign states, ought not to make in this matter of subject colonies. She has grown mellow and sweet and

quite adorable in her advanced age; and, at this day, when we see with what a mild motherliness she manages her colonies in Canada and Australia, we take off our hat in sincere veneration. But it was not always thus; nor has she corrected her mistakes in Ireland and India, the dire results of which are still mighty for the unhappiness of the people of those countries. Both Ireland and India are chronic famine countries since Mother England compelled them to have free trade with her; snatched from them the opportunities to labor arising from their own peoples' wants; and made of them the mere spoil of her Importing and Exporting Trusts. The yeast is working in India. The causes of India's famines and her general wretchedness are rising to the surface. Her wise men see that it is because their country is systematically plundered by her Importing and Exporting Trusts, that her people are congested upon a narrow field of employment; that her industries are therefore not diversified, and that the crops failing upon which they must exclusively rely, there is nothing left for her people but starvation. These facts are welling up from the deeply stirred depths of East Indian life, and the remedy must be at last the extermination of the counterparts of these wily plaintiffs in India. Here is what Mr. Francis H. Skrine says in our *North American Review* for August, 1907:

"The jute traffic has poured a flood of wealth into Bengal, whose down-trodden masses chafe under Brahmin despotism and crave for a larger measure of social recognition. But the distribution of wealth is as defective as it is in Europe. An increasing percentage of the Indian population is always on the verge of famine. Railways have equalized the price of food, and maintained it at a far higher level than in the days of native rule. Foreign commerce is indeed advancing by leaps and bounds; but from an Indian point of view, it does not conduce to the

general well-being. The great bulk of its profits is spent in Europe, America, and China. Exports consist mainly of raw materials; imports of manufactured goods which might readily be produced by organized labor within the Empire. **INDIGENOUS INDUSTRIES HAVE BEEN KILLED BY FREE TRADE, AND THOSE WHO HAVE PURSUED THEM HAVE BEEN RELEGATED TO AN OVERBURDENED SOIL. NINETY PER CENT. OF THE POPULATION ARE AGRICULTURISTS, MOST OF WHOM ARE PACKED INTO THE ALLUVIAL AREAS.** Early marriages and large families are incalculated by religion. Thus the preventive checks enunciated by Malthus are at work on a gigantic scale. Warfare and famine are prevented by the British Government, but it is powerless against cholera and plague. The pressure of population on the soil is felt by all classes with increasing stringency; and they blame alien rulers for the consequences of their disobedience to nature's laws."

Your Honors, India's "indigenous industries have been killed by free trade," in very truth; and all for the benefit of the Importing and Exporting Trusts of that unhappy country. Wherever you find a despotism approachable by any sort of a bribe, or open to any kind of corruption, there you find such as these wily plaintiffs in supreme power. For they represent the nomadic and marauding merchant princes of the world, with all kinds of money to burn for the privilege of plundering the common people both ways, viz., on the one hand through the Exporting Trust, by the congestion of indigenous industry upon a few special industries, the exploiting of which offers the richest and speediest returns to the Exporting Trust, and the consequent enslaving of the people by low wages; and on the other hand, through the Importing Trust, by depriving native industry of employment because of labor-supplanting imports, and thus aiding the congestion of labor upon the same employments exploited by the Exporting Trust. Is this the point towards which we of the United States are drifting under Cuban Reciprocity Treaties and German Agreements, and for the same reason, viz., the in-

fluence of these powerful and wily plaintiffs at court? And will the injury already inflicted by the methods named be later supplemented by free trade with the Philippines and, through this "hole in the wall," with all the rest of the world?

And what is true of the Indian colony is true of the Irish Colony, just across the channel from the place where the people "roll in gold;" and these latter "roll in gold," your Honors, because they represent England's Exporting Trust and her Importing Trust who, with free trade, exploit poor Ireland unto her death. In short, it is through the avenue of free trade alone by which these incarnations of rapine in Great Britain uniformly turn English colonies to account as they have done ever since we, in this country, were colonists; and this too is the only way, except through excessive taxation for the maintenance of governments in our colonies, represented by barnacles, bloodsuckers and spoils-sharing favorites of our Administration at Washington, that Porto Rico, Hawaii, or the Philippines can ever be of any profit to us; since our generous people would never tolerate the collection of open tribute to our Government, after the manner of the Empires of old towards their subject provinces; and after the manner of Mother England even at this day in Egypt. For we read in a late New York newspaper:

"There are several points of resemblance and of difference in the situations presented respectively in Egypt and in Corea. The suzerainty of the Ottoman Empire over the Nile land is not disputed by any European Power and is formally recognized by Great Britain in the payment of an annual tribute."

What is this annual tribute, your Honors? Simply blackmail. It was formerly paid by Egypt to

Turkey to buy Turkey's abstinence from the violent taking of Egyptian property; and by the force of circumstances England is compelled to be a party to this brigandage by paying the "tribute" from Egyptian taxes, or getting a recoupment through the Egyptian Exporting Trust, which sent us \$20,000,000 of raw cotton last year, and probably made us pay that tribute to Turkey; while the Importing Trust, one of the wily plaintiffs herein, still succeeds through its Washington lobby in preventing the tariff-dike from sheltering our Southern cotton-growers. So in this round-about way we enlightened Americans pay tribute to Turkey; that is, blood-money, a payment for not murdering in Egypt.

As we have said, poor Ireland also is unhappily an appendage of a Government where free trade has free course and her industries like those of India "have been killed by free trade, and those who have pursued them have been relegated to an overburdened soil." Here is an article from the New York Times of September 20, 1907, under the title "Is Ireland Asleep?" which illustrates Irish conditions:

"Mr. Michael McKenna, an Alderman of Chicago, has returned from a tour of Ireland strong in the conviction that something ought to be done for the mother country. There is plenty of Irish American capital in this country, Mr. McKenna thinks, 'begging for channels of investment,' and he suggests the manufacture of Irish lace, the development of Irish market gardens and fancy dairies as excellent channels for it to seek. The Alderman saw acres and acres of Irish land lying waste for the lack of that kind of energy and push Irishmen lend to the affairs of Chicago. He also noted that the persistent report of the pig dwelling under the same roof as the family is utterly false. He traveled all over Ireland and never once saw the pig in the parlor. So the too familiar Irish pig is proved a myth like William Tell and the Chinese play that requires a year or so in the acting. Ireland, the Alderman declares, is asleep. While the British Parliament

is in session the world frequently notes that the sleep of Ireland is restless. But the Alderman is right. What Ireland needs more than all else is some of the energy her sons exert in other lands. Undoubtedly some of the capital Irishmen so easily accumulate elsewhere could be put to good and profitable use in the mother country."

The sleep of Ireland, your Honors, is the sleep that follows total exhaustion, after a long wrestle with the angel of death from whom escape has finally been made "so as by fire." During the dreadful famines that visited her in the first century after she was forced to abandon her leading industries in favor of the English Exporting Trust, free trade with England starved Irishmen by thousands and thousands. Her population fled from her shores as from a burning ship and the number of Irishmen living on the Emerald Isle was reduced from 8,000,000 to 5,000,000; and the hope of life went out from hundreds of thousands of those kept at home by lack of the price of a steerage berth. Thus Ireland, the home of one of the most gifted and generous of peoples, and of the most unflagging industry; the home of the keenest mother wit of which the world has knowledge, of fervent patriotism, deep learning, and loyal affection for hill and dale, lake and heath, was swept by the angel of death, scarred and broken by famine and disease, and abandoned by millions of her sad-hearted sons who were compelled to choose between home-love and starvation; all because of congesting upon her soil the greater part of her population, through the destruction of her magnificent industries at the hands of the British Parliament, which was almost synonymous with the British Exporting Trust. Conditions remain the same now as decades ago. "The Alderman saw acres and acres of Irish land lying waste for the lack of that kind of energy and push Irishmen lend to affairs," when free trade

does not enslave them and put the fruits of their toil in the till of some Importing or Exporting Trust. "Undoubtedly some of the capital Irishmen so easily accumulate" where they are given a fair share of the results of their industry "could be put to good and profitable use in the mother country;" but no sensible Irishman from this country will put a penny in an Irish industry as long as the British Exporting Trust, through free trade with Ireland, stands with open maw to swallow his profits and his business. Ireland, like India, is a poor helpless and cruelly exploited colony of Great Britain. Do we want such colonies, your Honors? No your Honors, wherever they may be, we do not want such colonies. So long as we hold them, they will furnish only just so many more sleight-of-hand tricks whereby these plaintiffs, by sacrificing \$10 of solid domestic business for each \$1 of exports to or imports from their trading regions, can turn our national wealth into their own pockets. We do not want to starve our colonies or have them starve us; but any trade between us in either direction is to the injury of wage-producers there or here. Considering the height we occupy in the matter of wages, we particularly shall be injured at every step. We cannot afford to have our industries made fewer under any circumstances. To diversify industries into the greatest possible variety, is to elevate your wage-producer and give him the best chance for advancement in the world. The greatest diversity in production gives the greatest diversity in exchanges, which helps each wage-producer to the greatest variety of other products in exchange for his own. His product, wages, is divided into as many different parts as there are parts to his needs; and he offers these parts to

people who need what he offers and offer what he needs. That this is done through money as a go-between does not alter the facts. His working for wages and offering money for each thing he wants is a good deal more convenient but it amounts to the same thing as if, being a shoemaker, he went to the hatter and made him a pair of shoes in exchange for a hat; then to the clothier to do the same thing for clothes; then to the grocer, to do the same thing for groceries, and so on. The purpose of our work is to exchange it for the work of others in this way. Now, unless we who, considering our climate and soil, are people to whom life is about equally expensive, exchange between ourselves exclusively, there will be no necessary correspondence between the energy and fibre which we put into the work we do and the energy and fibre represented in the wages which we receive back in exchange. That is, if we had worked a week and had laid out energy which could only be restored to us by receiving a certain price for our work, covering, say, a week's food, clothing, shelter, and recreation, but by a leak in the dike were compelled to take a price for our work which would only pay for food, clothing, shelter, and recreation for three and a half days, we would have to go without food, clothing, and shelter for three and a half days in every week. Now this shows what happens when people living in one set of conditions are compelled by free trade or a "revised" tariff-dike to compete with people living under a different set of conditions. A given amount of labor in one country will buy either more or less than in another. The cause of this may be that one country lies in a region of longer summers and richer soils than the other, where in order to live comfortably people need to get less

wages out of their employment. Or perhaps the workers in one country live in poorer circumstances than those of another country, so that, while making just as much product in a day, in order to get back the human fibre they have put in it, they need to be paid less for their product. And so, if, instead of being compelled by a tariff-dike, to buy his week's supplies of the people who might have just paid him for his week's work, a wage-producer should buy that week's supplies of the Importing Trust, at the price which would only return to the foreigner abroad the cost of his cheaper week's living, he might find that he had in his own pocket the difference between the cost of a week's living at home and a week's living in a cheaper country; but, in the first place, he would have stopped the ready sale, at the home price, of a week's work done by some one of his countrymen to whom he had been the anticipated medium of exchanging one week's cost of domestic living for another. And, in the second place, he would have compelled that same fellow worker either to go without food, clothing, shelter, and recreation altogether, or to take for his week's work a price which would pay for less than a week's supply of these necessary things. That is, he would find, in the end, that the gain in his pocket, that is, the balance left there after buying his week's supply of the Importing Trust, would exactly correspond to the shortage in the pocket of his fellow worker, diminished by the commission appropriated by the Importing Trust upon the goods which had passed through its warehouse here. That is, again, this wage-producer who had bought his week's supplies of the Importing Trust, would have sacrificed a fellow workman, in order to divide with the Importing Trust the difference be-

tween his fellow workman's weekly pay and the weekly pay of some workman in a cheaper country. But the American wage-producer who votes for an Importing-Trust Administration here, such as the Roosevelt-Sternburg combination, soon gets the profit of such transactions taken away from him by similar Importing-Trust bargains made by his fellow wage-producers; and the result is a general lowering of the plane of American living to that of the countries from which the Importing Trust gets its goods.

We cannot repeat too often that the sole business of these wily plaintiffs is to search everywhere to find places where either the climate and soil or the low social condition enables people to sell their day's labor for less than the pay received by some worker in another country; and then to buy the cheap day's labor and go to that other country and undersell with it the worker who must get more for his labor in order to live; and so compel the latter to go without food at all or accept a price for his labor which will not return to him his outlay in blood and muscle; in other words, accept starvation wages. Your Honors, it is because of this piratical and vicious character of the business of these wily plaintiffs that we have appealed their case to this High Court. The heinous wrong which the Importing Trust does to the workers of this country is done by the Exporting Trust to the workers of other countries. They are both the worst possible enemies of civilization and morality that exist upon this round globe. Wherever they go and whatever they do in the line of their business is to the degradation and destruction of wage-producers. They are low and sordid in spirit; for they care not whence they draw their profits or on what innocent

babes they feed. For their fiendish operations are carried on against the very babe in arms; they are the destroyers of happy family life. Base, ignoble, sordid birds of prey, their members as remorselessly consume the very flesh of their fellow men as the eagles the lambs of the hillside flock. They make no profit in anything that does not reek of death. Ay, your Honors, every penny they put in their pants is the coined blood of some honest toiler somewhere on this globe!

Oh, your Honors, for but a glimpse at the brain-cells of these wily plaintiffs! We know that we should find them the same size, mass, shape, and relative position as those which figure in the brains of highway robbers, burglars, pickpockets, and sneak thieves. For they all pursue their respective callings, heedless and regardless of the dreadful want they bring on innocent wage-producers. They are all of a kidney, your Honors, however much they may differ in the churches they attend and the clothes they wear. They are the national leeches and bloodsucking parasites against which we have always contended. They are gamblers and adventurers, knights of fortune. It is they who make all the uncertainties of life; they make it a naked gamble from day to day; for, because one of these wily plaintiffs may have discovered some wage-producer more wretched than he and therefore ready to work for less bread by the day, nobody can tell at what hour one of them may appear to snatch from the honest worker his job and make him sit in hunger and tears with his starving children distracting his heart with cries for bread. We cannot look kindly upon these wily plaintiffs, your Honors, even though they did not arrange their brain-cells, or choose the unhappy environment

which has forced them to such close kinship with the hyenas, the foxes, the wolves, and all the rude and blood-thirsty children of savagedom.

XXIX

THE LAW OF ECONOMIC GRAVITATION WHICH WE HAVE HERETOFORE OUTLINED IS THE BUSINESS LAW ACCORDING TO WHICH ALL CAPITAL IS NOW MOVING, AND A RECOGNITION OF THE PRINCIPLES IT INVOLVES MUST LIE AT THE FOUNDATION OF HAPPINESS OF EVERY NATION.

Your Honors, we have already outlined to you what we think are the principles according to which all capital now moves, locates and participates in production, to the employment of the property-producer, the wage-producer, and the adjunct-producer, who comprise all the active population of every civilized country. So far as the observed facts which it states are concerned there is nothing new in this law of economic gravitation. We take no credit except for having put it in this orderly form and shown the relation which so plainly exists between capital, climate, and pay-roll. Since we built it up with such interpolated explanatory comment as to separate the parts rather inconveniently, for convenience of reference we will state the law here as a whole and in close sequence. It is as follows:

BENEDICT'S LAW OF ECONOMIC GRAVITATION

1. Capital desiring a given market for its output must finally locate in the area of lowest cost of production for that market.

2. Cost of subsistence is cost of production and is represented by pay-rolls, which are the measure of what is called "business."

3. Outside of the tropics, naked cost of subsistence varies directly with latitude; while within the tropics it is uniform and lowest.

4. If, in competing areas of production, differences between pay-rolls or latitudes be not offset by handicaps, the following will be true:

A. If such areas are in the same average latitude, capital will gravitate towards the lowest pay-rolls. The highest pay-rolls will contract, while the lower will expand, until pay-rolls and their incident business have become equalized throughout the competing areas.

B. If such competing areas lie in appreciably different latitudes not in the tropics, capital will gravitate towards the lowest latitudes; and pay-rolls and their dependent business will be destroyed everywhere, except in that area of lowest average latitude large enough to furnish products equal to the weakest consuming power of the combined areas.

C. If tropical areas are included in the competition, capital will gravitate thither and monopolize production to the utmost combined producing capacity of such areas. Pay-rolls, business, and the higher civilization will be extinguished everywhere in such competing areas, except in the tropical parts, and in whatever area of lowest average latitude outside may be necessary to make good any shortage of the tropical parts in yielding products equal to the weakest consuming power of the combined areas.

Your Honors, we have already called attention to the fact that even for a given amount of work, pay-rolls may vary from country to country. Of course, whether a lower pay-roll will sustain the wage-producer without loss of fibre, depends upon how much of the necessaries of life his wages in his country will buy. We might call that pay-roll a *full* pay-roll which returned to the wage-producer his fibre and a savings fund. We also might call a pay-roll *naked* when it returns the wage-producer's fibre but nothing more. And we might call it *degenerate*, when the pay-roll returns less than the wage-producer's fibre. Our own pay-roll is probably the only *full* pay-roll in the best sense, in the world. Some European pay-rolls are barely *naked*; while

others are flatly *degenerate*. England's pay-roll, in the average is flatly *degenerate*, because she now does and long has allowed her Importing and Exporting Trusts to coin the bodies of her wage-producers into profits for these evil geniuses of England. It is not too much to say that England's entire industrial population has been approaching identity with her pauper class for over a generation. To save themselves from such a fate, English wage-producers are emigrating to other lands by the hundred thousand; and those who remain at home, congested on fewer and fewer industries, are engaged in a constant trade-union war with their employers against reductions in wages. At the moment there is a better tone in English industry owing entirely to the great leak in our Dingley Dike which allows hundreds of millions of English competing goods to invade our market here every year.

Your Honors, we believe the law just detailed in your hearing is that according to which capital must always move. If it does not move, it must be because of some "handicap" offsetting either a lower pay-roll or a lower latitude. We are aware that these wily plaintiffs, and especially the Importing Trust, will utter their loudest "pooh-pooh" at the notion that the tropics can ever have any drawing power for capital. But, your Honors, we believe that, as strong as the law of physical gravitation upon matter, will henceforth be the pull of the tropics upon capital. Glacier-like in its movement, it will be as irresistible, except for the construction of "handicaps" in the form of strong tariff-dikes to stop utterly the influx of tropical goods; and the temperate-zone nation which lowers or "revises" downward its present dike, or scorns to build higher that already built, will begin to be forced

down by the glacier from the very hour of its scorn. If, in our case, by "revision" or by neglect to build our dike higher, we should expose ourselves, a cost-100 country, to the competition of the cost-10 tropics, the movement of our capital outward would be glacial in its resistless power but avalanchial in its speed. Standing high, we would fall far and swiftly. In our hemisphere we point to Mexico and Brazil, both largely tropical, as certain, unless we "handicap" them with prohibitory dikes, to exterminate our industries in the next half century. And what shall we say of Cuba, at our door, entirely tropical, the island which our wily plaintiffs long to annex to us intact, with a capacity for all forms of production and at such costs as to paralyze the industries of our entire Atlantic States! Why, your Honors, look at that part of the earth which is all in lower latitudes than our United States! Two-thirds of South America; all of Central America and the West Indies; about all of Mexico; about all of Africa; three-quarters of Australia; all of the Malaysian Archipelago; and a large slice of Continental Asia! Your Honors, as $3\frac{1}{2}$ is to 20 so is the area of our United States to that of the tropical and sub-tropical world combined. We have asked you the question before, but we ask it now again: Under "revision" or even under a failure to build our dike far higher, what show would our one-seventeenth of the earth's area, population, capital, and raw materials have against the remaining sixteen-seventeenths and their bare bargain-counter, auction-sale surpluses? What show would a $3\frac{1}{2}$ area in the "bleak north" have against a 20 area, all in the world's Sunny South! Can we swim up Niagara Falls, your Honors? Can we walk up Washington Monument at right-angles, like a fly,

but without suckers on our bare feet? For the happiness of these wily plaintiffs, are we to try and stem the tropical tide? Do "the laws of commerce" make it necessary for us to prostrate ourselves before the Juggernaut of cheap production? Oh, we know that the wily plaintiffs say, and especially our pet enemy, the Importing Trust, that the little yellow men, the brown men, the black men, and all the rest, are no good against white men. We whites have a demnition corner on excellence. The rest were made to wait on us, bring us our smoking jacket, our slippers and our pipe, and stir up the fire in the grate. But what is this, we see! Here is what the New York Sun said on September 24, 1907, under the caption, "Is China Producing Her Own Steel?"

"According to a letter from Shanghai published on September 22 by the Philadelphia PUBLIC LEDGER, the Chinese will soon be able to supply all the materials needed for the extensive railway systems which have been planned for their country and before the end of 1908 will compete with Western nations in the market for steel products afforded by Japan, the Philippines and other parts of the Far East.

"The development of the iron and steel industry in the interior of China has taken place so suddenly and so silently that it seems to have attracted very little attention in Europe, though in July of this year the United States Steel Corporation ordered a trial shipment of some 2,500 tons of pig iron from the Chinese works."

We wonder, your Honors, if the tariff-dike for iron ought to be "revised." Our tariff on pig iron is \$4 a ton, but that does not phaze China, where wages are but a few cents a day. Then, besides, we thought we had "unexampled supplies of raw materials" and that we were "without a peer in our natural resources." It looks as if nature was doing something for China also. But we continue:

“The Chinese iron and steel factories are situated at Han-Yang on the Yangste River about seven hundred miles from its junction with the Shanghai River”—

Which, your Honors, is a region close to the 30th parallel of latitude, about the same as Galveston, Texas.

“Owing to the abundance of ore and coal procurable at no great distance and to the **UNLIMITED SUPPLY OF CHEAP LABOR**, iron and steel products can be turned out there in less time and at lower prices than must be paid for imported articles. The ore is brought from the mines in steel barges carrying from 500 to 800 tons apiece, and delivered at a wharf in Han-Yang, whence it is conveyed in steel cars to the works.

“It appears that many bessemer and many open hearth Siemens furnaces, together with twenty sets of rolling mills for rails, are already in running order. The plant is being increased continually. According to statements made by foreign engineers employed on the Hankow-Pekin Railroad, the rails provided for this line by the Han-Yang Company are actually better than could have been procured in Europe. By the utilization of the Siemens furnaces an entire elimination of the phosphorus in the ore has been attained. Flat and round steel, bent over again and doubled under a steam hammer, show no sign of traction. All tests for torsion, elongation and ductility prove the Han-Yang product to be of the highest quality.

“We are told that during 1908, when the projected mills will be in full swing, their aggregate output of rails will be from 5,000 to 8,000 tons a month. Most of these rails will be used in China itself, as by a decree of the Pekin Government all Chinese railways must buy their materials, so far as this may be possible, from the Han-Yang establishment, which is looked upon as a national concern. As yet many of the things indispensable for railway construction and operation are not obtainable in China, but an immense plant for supplying passenger and freight cars, bridge steel and structural steel, is to be erected at Han-Yang in 1908.

“Many years ago the well known explorer Baron von Richtofen announced after a prolonged investigation of the mineral resources of the interior of the Middle Kingdom that he had found there larger deposits of true coal and high grade iron ore than were known to exist anywhere else upon the surface of the globe”—

And, your Honors, the Importing Trust is all the while telling us we are the “peerless ones,”

when it comes to raw materials—we have got ‘em all beat! But back to our reading:

He expressed the conviction that China would one day become the chief purveyor of those articles to the rest of the world.”

Why, your Honors, we thought we were elected to purvey everything to everybody, always, and always!

“Nothing but the lack of adequate means of transportation has deferred an energetic exploitation of China’s iron and coal mines.”

Ah, the Importing Trust is smoked out at last. It thought we never would find out about those Chinese iron and steel mills; that we would “re-vise” the dike and let in steel and such things free; and it then could tote in Chinese steel at a great big profit. It is bringing in Chinese pig iron now, right over the top of the dike. Let us drown our own steel “trust,” your Honors, by taking down our dike, put 100,000 steel people out of their jobs here, and turn our whole steel business over to the Importing Trust. We move the Court to that effect. More of the reading, however:

“Now that the work has been fairly started, there is reason to believe that early in the twentieth century Chinese coal, as being far superior in quality, will drive the Japanese combustible out of the Far Eastern market, and that much if not most of the steel products used on the Pacific coast of Asia will be manufactured in the Middle Kingdom.”

And the writer might have said, your Honors, “much if not most of the steel products used in the United States of America will be manufactured in the Middle Kingdom,” unless the American tariff-dike is doubled in height.

Stil more of this confession against the Importing Trust:

“A dozen years ago it seemed probable that the unsealing of China by means of railways would be performed by foreigners and that its incalculable mineral wealth would fall into their hands. Of late, however, a striking change has taken place in the industrial policy of the Pekin Government. Not only has the Empress Regent decided that the construction and management of railways must be undertaken by natives, but also that the materials needed for those purposes must be produced at home. The revolutionizing spirit is likely soon to spread from industrial to political affairs, if it is true that the Council of State, which was reorganized the other day, has been directed to examine the feasibility of giving China a constitution at an early date.”

How can these intolerable things be, your Honors? Here is the yellow man in a hot country daring to kick over the traces and make things out of steel, in addition to making things already out of cotton and other things, when neither the yellow man nor a hot country was to do such things. We thought the Chinaman might push us pretty close with textiles of the coarser kinds; but never as to metals. But here is the little yellow scoundrel in a sub-tropical spot jumping with both feet on our iron and steel flower beds. He never was “ordained” to do such things. It is against his native genius. He was to raise rice and cane and do up our collars. He was to let all these higher things alone for us to do. Because he never, never, no never would be able to do them without making a mess of it. He was to do the things he could do the cheapest and exchange them with us for things we could do the cheapest—that was the command of the Importing Trust here. We now see a very good reason why our war fleet should go around the “Horn” to the Pacific. Water is running up hill in China! And who’d a thunk it!

What in the world is to become of us white trash! And our long-cherished assurance that we were the whole show! We weep large, round tears, your Honors, at the thought of our disgrace. The Chinese would not stay put. The "Orient" and its great "trade" are no more. Oh, trade, where is thy Orient! Oh, Orient, where is thy trade! Going, going, going, gone! And like a decent tub we ought to try and stand on our own bottom, your Honors. Why not stop dreaming about sucking the blood of the "commerce of the world?" Why not sit down and earn our own living instead of hoping to "exchange" it out of the heathen?

Your Honors, we have an idea that, before lying down quietly and admitting that the law of economic gravitation which we have contrived has any thing in it, by their goods and chattels among the newspapers and college professors active and emeriti, these wily plaintiffs will try to show that it has so many exceptions that it will not draw at any point worth mentioning. When we say, "If differences between pay-rolls or latitudes be not offset by *handicaps*," certain things will follow, we are aware that the word "handicap" can cover a great many conditions adverse to the truth of the law in some particular, cooked-up case. But what we stand for is this broad fact that, taking any two considerable areas of the earth, competing against each other under absolute freedom of trade, capital in operation within them will surely move in exact accordance with the law; perhaps slowly at first, but as surely as the continued ebbing and flowing of the tides, the final speed of the gravitation of capital to be determined by the size of their differences in the determining conditions and varying directly with that size. We

would especially caution you, your Honors, not to be taken unawares by any criticism of this law which the wily plaintiffs, or either of them, may hereafter make. We do not doubt that they will cite a very long and formidable list of exceptions in cases which ought to demonstrate the truth of our proposition. But you will soon observe that any of the conditions which they will claim would take a case out from the list of those proving the law, are merely transient conditions, some of them entirely within the control of man, and others, though not in his control, likely to become modified with time and no longer prevent the migration of capital.

In order more fully to anticipate all the unfair arguments of the wily plaintiffs' counsel, let us ourselves examine into this word "handicap" and the sense in which it is used in this connection.

"Handicap," as we have used the word, means any circumstance offsetting a profit otherwise possible in trade; and this circumstance may exist in either of two countries or localities which otherwise would buy and sell together. And it would still be a "handicap," whatever its size as compared with the profit; that is, whether larger, equal to, or less than the profit. But in using the word "offset" in the law, we mean such an "offsetting" as would prevent the capital from moving to a different area of production. Furthermore it is plain that a "handicap" is an "advantage," or an "advantage" a "handicap," according to your point of view; as, for instance, a tariff which acts as a handicap against the Importing Trust, acts on the other hand as an advantage to the domestic industry threatened by the Import-

ing Trust with competition. Again, a "handicap" may be a natural one, or one presented by nature; or it may be artificial, or one made by man to offset a natural advantage held by another. Of course, handicaps made by nature in the line of large land-masses, ocean and air-currents, latitude, longitude, altitude, soils, water supplies, mines, forests, and the like, are things for which we have to trust nature, and, as far as relates to their original quantity or quality at the moment of discovery, are not *alterable* by human means; though of course water-courses might be changed, wells and irrigation plants constructed, forests cut away and soils exhausted or enriched. On the other hand, handicaps arising from labor conditions, volume of capital, machinery, methods, sanitation, transportation, and the like, as well as tariffs and other regulations, are *alterable* handicaps or advantages, which may be changed at will. Keeping in mind these various kinds of handicaps, we may construct a table covering as many as we can think of and group them according to their inherent qualities. For instance, we can make two general groups for the *alterable* and *unalterable* handicaps; and we may subdivide these groups, separating the *alterables* into *governmental* handicaps, or those made by the government; and *local* ones, or those arising from local circumstances; and the *unalterables* into *limited* handicaps, or those which are fixed as to locality; and *universal* handicaps, or those which may be found anywhere. According to this arrangement, our table reads thus:

HANDICAPS.**ALTERABLE.****Governmental.**

in which are included all governmental regulations or devices to hinder imports or exports, whether tariffs or other arbitrary regulations and limitations; and all regulations which actually hinder trade without being made for that purpose.

Local.

such as inhere in wage-scales; capital; labor and health conditions; machinery; organization; methods; freights; transportation, and the like.

UNALTERABLE.**Limited**

such as inhere in latitude; longitude; ocean currents; air currents; land-masses; altitude, and the like.

Universal.

such as soils; water - supplies; mines; forests, and the like.

Your Honors, this table will be of use in testing the strength of the arguments of counsel for the wily plaintiffs against our theory that the final position of a nation is irrevocably fixed in the cost of its production; and that it is scientifically possible to determine the index-number for each nation and by a comparison of numbers determine to a certainty, if free trade prevails between them,

which of any two nations is destined to industrial annihilation. Our friends, the enemy, deal constantly in glittering generalities; we might say, your Honors, in "dazzling generalities," which put the intellectual sight of the unwary out of commission and make them an easy prey to these wily plaintiffs in their stage fury against our "trusts," otherwise our client, American Production. And it is the purpose of this little table to rip off some of the isinglass and other tinsel from the glittering phrases of counsel for the wily plaintiffs and, if that be possible, get some sort of a rational line on them. For example, if you will remember, your Honors, somewhere in the argument of counsel for the Importing Trust, the wily plaintiff herein, as near as appears from our hasty notes, he said something like this:

"Our superiority over any other people in the world in manufacturing has been attained during the last thirty years through the following factors:

"First:—The energy and enterprise of our people.

"Second:—Our inventive talent and the marvelous increase in labor-saving machinery.

"Third:—The bountiful supply of food and raiment for the support of workmen, and the unlimited stores of iron, copper, lead, and other minerals as the raw material of manufacturing.

"Fourth:—Low tax rate, as compared with our chief competitors in manufacturing, thereby lessening the burdens of industry."

Before analyzing this list of wonders whereby we are the natural "workshop of the world," we pause to remark that it was in part this very list of wonders, prepared by England's Exporting Trust, which during much of the nineteenth cen-

tury, was put forward as the reason why England was destined to be to the end of time "the workshop of the world;" and we wonder why this great honor has now been transferred to us. England had passed through centuries of protection and, expressly because of protection, had become the wealthiest and most powerful nation in the world. We have likewise passed through a long period of at least partial protection and in our turn have become the wealthiest and most powerful nation in the world. But England had congested her working people upon manufacturing industries and had neglected to balance her food-production with her textile and metal-production; and because of her weak home market and the vibrations of the "States" between free trade and protection, which alternately opened and shut her greatest foreign market, England's manufacturing employees were at times in straights from what is called "overproduction" but which was, in fact, under-consumption. Therefore, taking advantage of a period when English factory hands were in distress because of our shutting English goods from this market by our tariff of 1842, and also of the famine in Ireland, which served as a bogus object lesson for the orators of the English Exporting Trust, said Exporting Trust, under the pretense of securing a "cheap loaf," prevailed upon the English people to sweep away their Corn Laws, or laws protecting English agriculture; and because of their great accumulation of capital, machinery, and skilled labor, through something like six hundred years of progressive protection, believing themselves destined to be "the workshop of the world" the English manufacturers, that is, the said English Exporting Trust, looking only to

its enrichment, and recking not of the degradation of its employes, also conceded the abolition of import tariffs upon manufactures. Then this same English Exporting Trust busied itself to persuade the nations that England was destined by nature to be "the workshop of the world;" that the interests of the rest of the world required all other nations also to take down all tariff walls against English manufactures, which they thus could secure at lower costs than by their production at home; in the same manner that England had cut down all tariffs on "raw materials," which she could import more economically than she could produce them. Then it was, in England's hey-day of trade, before other nations had developed their own manufacturing resources, that our Importing Trust, taking its cue from its English end, the English Exporting Trust, began to teach our people that England was the natural "workshop of the world," because she enjoyed above all other nations the advantages numbers 1 and 2 in the list just cited from counsel for these wily plaintiffs. Has free trade been good for England, your Honors? If it has, how is it that in less than a century we, who in our ignorance have stood fast for at least a small measure of protection for manufactures, have beaten England from her position as "workshop of the world" and are now listening to the claim that we are "the workshop of the world," for the same reason that England was the same thing but a short time ago? And if we follow English example into tariff "revision," what earnest have we that we shall not share her fate and drop, as she is dropping, towards the tail of the world-procession in production and civilization? We have not yet emerged from the protection

period which made her great. Should we be eager also to enter upon the "revision" or Free Trade period, which is making her so small?

We said a moment ago, but ironically, "We wonder why this great honor (that of being 'the workshop of the world') has now been transferred to us." We think we know. These wily plaintiffs are but the foreign ends of England's Exporting and Importing Trust respectively. That is, our Importing Trust is the foreign end of England's Exporting Trust while our Exporting Trust is but the foreign end of England's Importing Trust. These "trusts" have no heart, no soul, no nervous system, and no patriotism. They are glacial in their emotions. They are the only destructive "trusts" in any country; and they go indifferently from country to country in search of the richest spoil. As long as England offered the best returns, they patted her on the back and called her "the workshop of the world;" and adjusted her by their cryptic influences to that condition best fitted for her uttermost spoliation. Now that they have about finished England; now that the Bishop of London can say "They have asked me how I reconciled the belief in the Good God loving all his children with the wretched million in East London who seem abandoned by both God and man;" now that such fearful conditions exist in England; now that England, by her free trade practices, abandons a million people in one city to starvation, giving to a million workers in other lands the work, the wages for which should feed, warm and clothe this sad and hopeless million in London; now that the English orange seems to be sucked dry, these international wily plaintiffs,

whose sole business is the spoliation of wage-producers the world around, have passed to the American orange, which, by dint of the same flattery, the same thrusting forward as "the workshop of the world," the same specious announcement of eternal superiority, they hope to suck as dry as they have sucked the English citrus. And after that, what? Next! We think we see who is next, your Honors. We are already being introduced to the new candidate for the flattery of these wily plaintiffs. The new hero, the new "workshop of the world" is Germany. Already these wily plaintiffs, through Roosevelt diplomacy, have effected the German Agreement, which virtually levels our tariff-dike towards Germany; and already the psalm-singers of these wily plaintiffs are draping the shoulders of German skill and genius with the same mantel of superiority with which they first draped England's and then ours, as they led us in succession to industrial slaughter. And thus these wily plaintiffs will go on in their cruel career, despoiling one nation after another, until modern intelligence and humanity put an end forever to their havoc.

And now, your Honors, let us take up this list of wonderful virtues, four in number, offered by counsel for these wily plaintiffs but a short time back, and compare each one of them with our list of handicaps, also offered to you a little while ago, and test their validity as bases upon which we may rest as the superlatively superlative in production through all the countless ages hence, until the sun hangs a black moon in the sky and our planet has been gathered to its fathers, "Where the wicked cease from troubling and the weary are at rest."

Making this comparison of the wily plaintiffs' list of wonders and our own list of handicaps, we observe that counsel's reason No. 1 for our terribleness as world-beaters is a *local* and *alterable* handicap, as it is included in "labor and health conditions;" and is a mere trap set for the unwary. If we ventured out on ice as thin as that in the "conquest of the world's markets," we would be certain to fall in. By the way, "our people" are practically all European people, except those of African descent; and whatever "energy and enterprise" we may have is a rill which rises no higher than its source. Now as to reason No. 2 for our almighty almightiness as food for the Importing Trust, that reason also falls in the same subdivision as No. 1 in our table, both as to machinery and as to "inventive talent," which latter is all imported and therefore not peculiar to us.

Taking up counsel's reason No. 3 for our peculiar peculiarness as all-conquerors of the "worlds markets," that, according to our table, is an *unalterable universal* handicap, which exists against us in the cost-20 world about sixteen-fold as much as it exists for us in our own cost-100 country.

Passing to counsel's breath-taker No. 4, we find it an *alterable governmental* handicap. If we leaned on that reed alone, in face of the great handicap which the whole world holds against us in a pay-roll but one-fifth as high as ours, it would let us down and we surely would fall to our own hurt.

And so, your Honors, in every case in which the bandmen of the wily plaintiffs, the Importing Trust, sound the cymbals of triumph over the "unexampled" or "inexhaustible" muchness of our

exceeding great much, a comparison of our alleged specific "corners" with those named in our table will show that, as bases upon which to build our national fortunes, they are as unstable as water and at best could serve only as fleeting pretexts for damaging the dike and pouring water on the Importing Trust mill.

We would especially put you on your guard, your Honors, against certain superficial assaults which we are certain counsel for the wily plaintiffs will make upon the law we have explained. They will tell you, for instance, that latitude is not always connected with climate in such a way as to give the colder to the higher and the warmer to the lower latitude. They may tell you, for instance, that, latitude for latitude, our whole Atlantic coast is colder than our Pacific coast; that, say, England is as far north as our Labrador and yet has earlier springs than New England; and so on, in order to prove that cost of subsistence does not vary directly with latitude. It is true, your Honors, that here and there ocean currents running close to the land affect its temperature; and that certain localities thus affected may have either a higher or lower temperature than places in the same latitude but far removed from the neighborhood of such ocean currents. It is also true that places in the same latitude, but at different heights or altitudes above sea-level, will have different climates. We all know that the high table-lands of the tropics have climates very much like our own, although down the hill a little way it may be much hotter and the style of dress of Mother Eve would be very burdensome. Then again, they say that, in a general way, distances from the oceans also govern temperature and that the larger and heavier the

land-mass, the more slowly does its temperature change from season to season. Nevertheless, your Honors, latitude after all is the strongest factor among those affecting climates, and, taking the earth around, it will be found that, comparing any two considerable areas of the earth together, the average temperature of the area in the higher latitude will be lower than that in the lower latitude; and that, the greater their differences in average latitude, the greater will be their differences in average temperatures, the higher latitude uniformly showing the lower and the lower the higher temperature. Take our own country, for instance: The higher temperature of our Pacific coast is reduced to the common world's average, from latitude to latitude, by the lower temperature of our Atlantic coast.

Therefore we say that, when all is said and done, your Honors, and any two large areas of the earth's surface are considered as competing under "revised" tariff-dikes, differences in latitude, provided that they are worth noticing at all, are the only things which finally count. The greater number of possible "handicaps," as the word is used in our law, belong, as our table shows, among the *alterables*; that is, any one of them can be altered at any time a country desires; and if such alteration was all that stood between any country's Exporting Trust and our market, with its 80% higher cost of production than the world's average, all the wealth of that Exporting Trust would be brought to bear upon that country's rulers to effect the alteration. Our position is so extraordinary with regard to wages and so with regard to the absolutely necessary cost of production, that, with our tariff-dike low, to give our domestic market to the Im-

porting Trust here, the alteration on the part of other countries would need to extend to but one or two of the *alterables* in our list. In the matter of the *alterable* of wage-scales, they are already so low abroad that no alteration there will be necessary to take our market, if only, as Mr. Taft and Dr. Butler so strongly urge, our governmental alterable, the tariff-dike, is suitably altered. But even if our dike is not "revised" to fit the case, if foreign countries materially alter their *local alterable* of *machinery*, unless we in turn build our dike higher to meet the change, they will take our domestic market. As we have before stated, the German Government has secured the alteration of our *governmental alterable*, the administration clause of the Dingley Law, in such a way that the Germans now practically have a great part of our domestic market, about the same as they would if there was no dike at all. Our swiftly increasing imports from Germany since that alteration was made by Mr. Roosevelt to please Herr Von Sternburg, prove the fickle character of these *alterables*. Even without this lift, Germany's cost-30 production was fast making our tariff-dike ineffective to shut out German goods.

So it will be found that nearly all the handicaps which the Importing Trust declares are in our favor and would give us the "the markets of the world," even with the dike merely "revised" in any way but uniformly upward, are such that, if such handicaps were then all that stood between any nation and its desire, they would be quickly discounted with appropriate alterations at home by such nation.

And it will be further found that the handicaps credited to us which are not *alterables* and so too

fickle to be trusted, are *universal unalterables*, and therefore, cannot be depended upon at all in "revised" tariff competition even with single nations of any large areas of soil, to say nothing about their sustaining us in a struggle with the whole world outside.

So much for the "handicaps" which the Importing Trust, playing spider to our fly, says are so perennially in our favor that we need fear nothing from "revision."

Now what of the handicaps against us, the trump cards in the hands of our competitors? In the first place, their *alterable governmental* handicaps fully offset ours, with the exception of benign old Mother England, who is always generous before she is just and favors all creation before she favors her own children. She has no *governmental alterables* to oppose us with; and she is dying by inches because of her generosity. As to *local alterables*, the world beats us hollow in wage-scales; it has as much capital as we have and a lot of our capital in the bargain, about a billion of our dollars having left us in the last few years to build foreign factories and join our Importing Trust in its attack on our dike. The world's labor and health are, on the average, just as good as ours. Its machinery is looking up, either from buying ours or making its own. It seldom buys our dear stuff more than once unless it is patented. It usually copies our machinery after a few purchases. As to freights and transportation, England and Germany are building canals; and the steamship lines are making for them through rates from Europe to Chicago lower than those we pay from New York to Chicago; and their organization and methods are in their own hands and would be brought up to standard in a

moment if their lagging behind us in such matters was the only thing which kept them from our market; but the great advantage in their wage-scale, as they say themselves, makes modern machinery and organization unnecessary to capture our domestic market, if our tariff-dike is not too high, or if German Agreements are in full swing. If weakness in any one of these points really limits their markets with us they attend to it quicker. Now setting off the *universal unalterables* which we have against those which they have, there are left the most important of all, viz: the *limited unalterables*; and a glance shows that we are hopelessly licked by 20,000,000 square miles of the earth's surface in every *limited unalterable*, and that in this group stand the greatest factors in the world for cheapness of production. We have already indicated the portions of the earth which "lay over" us in these respects and we will not repeat. But the fact alone of our hopeless position in regard to the *limited unalterables* should make us all join in a grand "shut-up" antiphonal whenever the choir of the Importing Trust intones its anthem "Revision of the Dike." The only direction in which the dike should be "revised" is skyward; and get there as soon as possible.

XXX.

THESE WILY PLAINTIFFS, LIKE GREAT SPIDERS, HAVE
SPUN THEIR ENTANGLING WEB OVER THE WHITE
HOUSE.

We think we have explained, your Honors, the nature of these wily plaintiffs. They are mere

groups of brain-cells developed by an environment which compelled unremitting acquisitiveness. No conscience has ever been identified among these brain-cells. They have been gathered by centuries of circumstance. In this country, they are an anachronism. They never open their mouths except to bleat "foreign trade." None of their newspaper contingent ever mentions any foreign country without mechanically stating its importance in "trade." This peculiar vein in these wily plaintiff's is inherited by them from their English ancestors. England has long been a ridiculous country. She is about the size of New York State; but she has kicked up more bobbery than any other country in the world—far more than we ever have; and we are about seventy times its size. How has she done so? By foreign trade. By pawning her patrimony; by auctioning off her natural deposits of iron and coal in the competitive "markets of the world." England is like a woman, who, attiring herself with a richness beyond her income sufficient for temperate living, pawns her household furniture piece by piece. Thus she has caused to be advanced to herself great loans on her furniture, putting up as a pledge with the World Uncle her title to long life. She has sold herself for power and wealth; and foreign trade has been her instrument of sale. Of course "trade" is the first thing Englishmen think about. That is what they are always spilling their blood for; because foreign trade is the only means by which England can maintain herself in any size comparable to that of her continental contemporaries; like a poor little frog, inflated to ten times its natural dimensions by the wind of foreign trade! This is true because every country's actual size in trade is fixed by the consuming power of its

own population. In other words, a country, normally, is as rich as its own domestic market. That tells the story of national health. The foreign market of a nation tells the story of the accumulation of wealth in the hands of a country's Importing and Exporting Trusts; of the pawning of the natural stores of the nation for the benefit of its foreign trading class. By dissipating her natural wealth in the most wanton way, and by congesting her wage-producers on narrower and narrower lines of employment, England has anticipated by centuries the legitimate income from her resources. Her own people were too few to buy enough of her products to result in the wealth to which she aspired. Therefore foreign markets became to her the conditions of her remaining the proud Britannia which so long has ruled the wave. A little country naturally, foreign trade was used to make her great artificially. Now, your Honors, as we have said before, these wily plaintiffs are not of sudden growth. They came to us from England. They are mere English replica of English editions of English traditions. In this noble country they are not a drop in the bucket of us. We are a great country by nature and do not require the artifice of foreign trade maintained by these plaintiffs. But it is they who live by foreign trade and it is they who have control especially of our great seaboard cities, and have studiously made it the fashion of the country to speak of foreign trade as if foreign trade were that wherein we lived and moved and had our being. We are merely hypnotic subjects, your Honors. We, the great people of this country, have no need of foreign trade but are burdened and cursed by it for the private benefit of these wily plaintiffs. They take their tolls from us at every turn. We

pay higher prices than we should because of our Exporting Trust, which sends our products abroad and out of our reach. Why, your Honors, we send over two hundred and twenty-five millions of dollars' worth of meat of various kinds abroad every year, instead of keeping it at home to lower the price to ourselves. And so it is with wheat and corn, cotton, petroleum and other things. And so on the other hand, we get lower wages than we ought, because of the Importing Trust bringing in nearly two billions of dollars' worth of goods a year and extinguishing our employment to that extent; for we could make every cent's worth of these goods ourselves, or equally satisfactory substitutes, if it were not for our leaking tariff-dike.

But a mere handful of our people, by this constant hypnotism, this assiduous suggestion through the newspapers, keep foreign trade before us as the only thing to hope for. Why, your Honors, the whole thing is too absurd to talk about. For every penny's worth of foreign trade we do, we do nearly sixty cents' worth of domestic business, as shown by our bank clearings. And every cent's worth of foreign trade we do destroys at least ten cents' worth of business by blocking exchanges which otherwise would have come from a like amount of business having been done here. The whole thing is of incalculable damage to us; and yet it is our one hope of glory! We know who thus sets it up, do we not? We know for whom it is profitable to increase exports to Cuba by a few millions; even though by the same Reciprocity Treaty our imports increase so much that we are scoring a national net loss of \$66,000,000 a year. Why, your Honors, it would be much cheaper for us to pay our Exporting Trust \$10,000,000 a year clean

money out of the national treasury, and abrogate the Cuban Treaty, than to continue the Treaty in force and buy business for our Exporting Trust at such a tremendous loss. But, your Honors, it is too plain for talk that, just as Mother England does for her great parasites, we, too, both for our Importing Trust and our Exporting Trust, buy foreign trade at an enormous price. And just as England does in keeping a great navy for her parasites, we too pay for it all out of the treasury of our national wealth and compromise our progress; but these wily plaintiffs put the whole proceeds of their trading in their pockets. Foreign trade is their business. It is the only thing in sight for them. Therefore they industriously work the newspapers to make us think it is the only thing in sight for us also. Aren't our brain-cells of a very unsophisticated sort, your Honors, that we should thus keep on driving fish to the private nets of these wily plaintiffs!

Your Honors, using our vocabulary with the same discreteness with which Mr. Roosevelt uses his, we aver that these wily plaintiffs are indeed "malefactors of great wealth" and that together they form what is easily the wickedest "trust" in all the world. We are aware, however, your Honors, that both of these wily plaintiffs are highly elusive as well as illusory. We do not say that they are formally incorporated. We do not even say that they have any definite organization as a whole. It is true that powerful trade organizations, such as the Association of National Manufacturers, as example, seem to work together for the destruction of our tariff-dike with a harmony that is miraculous if it be not intelligently concerted. It is true that "boards of trade" and similar bodies move towards the destruction of our tariff-dike with a rhythm

that suggests conspired as well as inspired action. It is also true that the professors of our colleges, and generally the presidents of our colleges also, strike one and the same chord upon the matter of tariff "revision"; and throughout the length and breadth of this country, the same people, at the same intervals, join in a swelling chorus of maledictions against the "robber tariff" and say that "this protective tariff system has distorted the functions of a free government into tools of greed and vehicles of oppression," * or words to that effect. They are souls with but a single thought and hearts that beat as one. And yet, your Honors, there is no outward and visible sign of any connection at all between all these different kinds of people who detest American Production. But we account easily for the choral nature of their attack by the fact that from time immemorial, there have been among us people who have not thought themselves directly benefited by American Production, as well as people, notably members of the Importing Trust, who have felt themselves directly aggrieved by American Production, for the reason that the greater the volume of the latter's output the smaller their chance to peddle foreign goods in this market. And, your Honors, these people have arrived at a telharmonical coincidence of emotion upon this subject. They have so long sung in the same choir, that, if any member of the choir so much as hums a measure of their old anthem, the entire host raises its voice in unison in one prolonged scream against the "trusts" that "screw up prices at home even when they screw them down abroad," and from that moment until the tariff-dike has been wrecked and the wily plain-

* Governor Folk.

tiff, the Importing Trust, has carried away the last cent of the Amercian savings bank fund, sometimes still in chorus, sometimes in sonorous antiphonal, but always with sevenfold hellish din, the goods and chattels of these wily plaintiffs continue to damn the dike. Why, your Honors, it is surprising how few in numbers, compared with our whole people, these creatures of the Importing and Exporting Trusts are! And yet their concerted shriek sets the whole country pell mell for the exit. It is like the cry of "Fire"! by one little cup-full of wits in a crowded theatre. Bless your hearts! there is no fire, but merely a glint of calcium light on the curtain, which the jay is unaccustomed to; but it does the job; one group of sickly yellow brain-cells jumbles five hundred blood-red ones and a hundred people crushed to death is the harvest. And it is the same with these sordid mischief-makers, the wily plaintiffs herein; only they hire the jay to holler "Fire!" and then pick the pockets of the stampeding crowd and even of those slain in the crush.

Your Honors, would it be possible for there to be such a thing as a tacit conspiracy; a sort of concerted action which took place from a species of thought-transference? It seems to us that such a thing is possible; nay, your Honors, such a thing has happened; either a tacit conspiracy or a transaction which might be called by an uglier word. For, your Honors, these wily plaintiffs have ubiquitous power. It bobs up everywhere. And there seems to be such an affinity in graft that one touch of graft-emotion makes a whole political world kin.

So we have long been pained to think, your Honors, that somehow, by a sort of tacit conspiracy, these wily plaintiffs have possession at this moment of the National Government; and that the

present inmate of the White House was placed there by them and its press bureau. At any rate, Mr. Roosevelt seems to be suffering from a sort of conspiracy obsession, as if, himself the product of a conspiracy—a tacit conspiracy, your Honors—knowing his own origin as a White House incumbent, the spirit of conspiracy haunted him like Banquo's ghost. For you will remember, your Honors, how quickly he scented out the conspiracy of rich men, with their \$5,000,000 pool to beat him and "my policies," when Mr. Harriman's genius—good or evil, your Honors?—published the "*practical*" letter from Mr. Roosevelt to this "malefactor of great wealth," asking for assistance to secure the vote of New York State, and that too almost the night before election day, when money could find but one use to help the Republican candidate. Then you will remember how, in his Provincetown speech on August 20, 1907, he seemed to be haunted with Banquo's conspiracy-ghost again, for he said:

"On the New York Stock Exchange the disturbance has been particularly severe, most of it I believe to be due to matters not particularly confined to the United States, and to matters wholly unconnected with any governmental action, BUT IT MAY WELL BE THAT THE DETERMINATION OF THE GOVERNMENT, IN WHICH, GENTLEMEN, IT WILL NOT WAVER, TO PUNISH CERTAIN MALEFACTORS OF GREAT WEALTH, HAS BEEN RESPONSIBLE FOR SOMETHING OF THE TROUBLES, AT LEAST TO THE EXTENT OF HAVING CAUSED THESE MEN TO COMBINE TO BRING ABOUT AS MUCH FINANCIAL STRESS AS THEY POSSIBLY CAN IN ORDER TO DISCREDIT THE POLICY OF THE GOVERNMENT AND THEREBY SECURE A REVERSAL OF THAT POLICY SO THAT THEY MAY ENJOY THE FRUITS OF THEIR OWN EVIL DOING.

"That they have misled many good people into believing that there should be such reversal of policy, is possible. If so, I am sorry, but it will not alter my attitude. Once for all, let me say that, as far as I am concerned, and for the eighteen months of my administration that remain, there will be no change in the policy we have steadily pursued."

Your Honors, don't the Good Book say somewhere, "He who accuses another of conspiracy, unless he prove the same, shall himself be accused of conspiracy?" We think it does, or words to that effect; but at any rate, there is an old-fashioned saying somewhere something like this, "It takes a rogue to catch a rogue."

Now, your Honors, we are not going to accuse any one of conspiracy, lest we come under the stress of the passage from the Good Book just referred to; but we wish to call particular attention to the fact that Mr. Roosevelt, ever since he became President with a free hand, has been doing exactly what these wily plaintiffs, or either of them, would have done itself if President of the United States, viz., he has been using every means, fair or foul, to discredit and destroy American Production, our client, for the express benefit of these wily plaintiffs, the misappropriation of the American savings bank fund by the Importing Trust, and the conversion of Congress into a sort of directorate of American manufacturers, in the interest of the Exporting Trust, to sacrifice our producers of so-called "raw materials" to the increased profit of said wily plaintiff in its export trade

It looks to us, your Honors, also, as if Mr. Roosevelt, in saying, "Once for all, let me say that, as far as I am concerned, and for the eighteen months of my administration that remain, there will be no change in the policy we have steadily pursued," merely passed the word to these wily plaintiffs that they might pursue their own "policy" of screaming down the "trusts" with the perfect assurance that he would do his part and continue to discredit our client, American Production, to the limit.

It also looks to us, your Honors, as if these wily plaintiffs were at the bottom of the wild insistence with which Mr. Roosevelt was nominated to the vice-presidency in 1900 on the McKinley ticket; and that the press-agency of these wily plaintiffs was at the bottom of the wide advertisement of Mr. Roosevelt's trust-busting virtues which led to his re-election, to the profound grief of American Production, in 1904. For it was well known that Mr. Roosevelt was the open enemy of American Production, in that he was a graduate of a notorious Free Trade College and a member of the celebrated Cobden Club, and that he looked upon "protection" merely with the tolerant eye of the temporizing politician, as shown by the following extract from page 67 of his life of Benton:

"Free traders are apt to look at the tariff from a sentimental standpoint, but it is in reality purely a business matter, and should be decided solely on grounds of expediency. Political economists have pretty generally agreed that protection is vicious in theory and harmful in practice; but if the majority of the people in interest wish it, and it affects only themselves, there is no earthly reason why they should not be allowed to try the experiment to their heart's content."

It is evident from this quotation that Mr. Roosevelt never had any convictions on the protection issue which would have seemed to these wily plaintiffs objectionable in their representative at the head of the Government. Mr. Roosevelt, in fact, has strong convictions adverse to our client, American Production. Ever since his independent attachment to the presidential hitching post he has been champing the bit to be freed from the bridle of protection. On this point, we quote Mr George Griswold Hill in the August number, 1907, of the North American Review, in an article evidently inspired by Mr. Roosevelt himself:

"No feature of the President's policies is more widely misunderstood than his attitude on the tariff. He has long believed that the time has arrived when revision of the Dingley tariff act is advisable. True, there have been evils which he has regarded as of paramount importance—as, for instance, the granting of railway rebates, overcapitalization, etc.; but on a number of occasions he has summoned the leaders of his party and sought to impress on them the advisability of tariff readjustment, only to learn that the determined opposition of Speaker Cannon and his associates in the House constituted an insuperable obstacle. On one occasion, in his annual message of 1904, he went so far as to give notice of a special message in which he would urge tariff revision. He wrote, 'On the subject of the tariff I will address you later.' But the earnest representations of the leaders of his party that tariff revision would be impossible at a short session and that notice given so far in advance of a special session to be called for this purpose would seriously unsettle business led him to order the line quoted to be stricken from the message after the advance copies had been furnished to the press. In January, 1905, he secured the assent of the Senate leaders, not excluding Senator Aldrich, who has long been known as 'the high-priest of protection,' to a special session for tariff revision to be called soon after March 4th; but the continued opposition of the Speaker and a few other leaders of the House demonstrated the futility of such a course. Mr. Roosevelt is now of the opinion that it would be unwise to attempt tariff revision in the coming Congress, but he will exert his influence to commit irrevocably the Republican party, in its next national platform, to the programme of summoning Congress in special session to revise the tariff, immediately after March 4th, 1909."

We exclaim in passing, with deep reverence and thankfulness, "God bless that iron-willed Speaker for so staunchly standing between his country and the deluge of Rooseveltian ignorance!" Please mark, your Honors, we did not say "Rooseveltian servility to the Importing Trust."

We also remark in passing that, if the Republican party follows Mr. Roosevelt in framing its platform in 1908, it will "march through a slaughter house to an open grave," and it will richly deserve its fate.

We think we have shown Mr. Roosevelt's entire harmony with these wily plaintiffs in their purpose

of destroying the tariff-dike and raping our savings-bank fund.

But again we protest that we do not say that there is even a tacit conspiracy between Mr. Roosevelt and these wily plaintiffs. We only say that if these wily plaintiffs had raked the world over for a better instrument for their purposes, they could not have found one. Mark, your Honors, the various things that followed Mr. Roosevelt's elevation to the presidency, in as rapid succession as the slow procession of national events would permit:

1. Mr. Roosevelt dismissed as a "disturber" Hon. Wilbur F. Wakeman from the General Appraiser-ship at the port of New York, where this gentleman "stood like a stone wall" between the wage-producers of this country and the flood of foreign surplus products which undervaluation would have invited over our tariff-dike. This dismissal was at the express instance of the New York wing of the Importing Trust and certain Republican politicians to whose campaign contributions the Importing Trust had been wont to contribute. In addition to the removal of Mr. Wakeman, as a "disturber" of the quiet in which the Importing Trust otherwise would have been permitted to filch the savings of the wage-producers of this country, various equally watchful and faithful officials were transferred by Mr. Roosevelt's order to remote parts of the country, where they could not longer "disturb" New York importers. Please note, your Honors, that these were acts directly hostile to our client, American Production.

2. As soon as possible after his coming to the presidency, Mr. Roosevelt forced the Cuban Treaty

through Congress with his Big Stick. This was in direct violation of the Republican Platform, a most treacherous abandonment of the policy of protection, and a wanton sacrifice of the Western Farmers, and, generally, an act of "perfidy and dishonor" unparalleled in American politics. It was done at the direct behest of the New York wing of the Importing Trust, to the infinite damage of our client, American Production, and at an actual net cash loss to this country of \$66,000,000 last year, with the figures likely to double in the next year or two. This was a decisive step in the direction of free trade for the benefit of these wily plaintiffs. So far from responding in kind, the Cubans take the \$66,000,000 in cash which we pay in the balance against us, and buy goods of Europe.

3. In his message to Congress in December, 1906, Mr. Roosevelt recommended Free Trade with the Philippine Islands, saying: "Free Trade with the Philippine Islands can do no harm to any American industry." This recommendation was made at the request of the wily plaintiff, the Importing Trust, and Mr. Taft, Mr. Roosevelt's proposed lineal successor to the presidential office. Free Trade with the Philippines would be for us Free Trade with the whole world through the Philippine Hole in the Wall.

4. Mr. Roosevelt, evidently through the influence of the Importing Trust, surrounds himself with members of the Importing Trust. His Secretary of State is Mr. Root, who pushed the unsuspecting McKinley into Free Trade with Porto Rico, a direct blow to our client, American Production, and a step which one day will be responsible for the starvation

of many an American wage-producer. His Secretary of War is Mr. Taft, an unmitigated Free Trader, as proven by his Columbus speech, in which his reasons for fervently advocating "tariff revision" were none other than reasons for Free Trade. His Secretary of Commerce and Labor is Mr. Oscar S. Straus, a New York importer and notorious Free Trader, who is entirely out of sympathy with our client, American Production, and is committed without reservation to the increase of American imports through a cutting down of the tariff-dike. And Mr. Roosevelt's Secretary of the Treasury is Mr. George B. Cortelyou, a Democrat, and a natural sympathizer with the Importing Trust.

Your Honors, we submit that these members of the Importing Trust were not assembled by chance in the Cabinet of a Harvard graduate, a member of the more than notorious Free Trade Cobden Club and a concocter of German Agreements; and we do not think that their presence in the Cabinet is reconcilable with the Republican Platform, if the deliverance of that platform on the subject of protection was meant for anything but political buncombe; at any rate, such a cabinet is not reconcilable with the good faith of the President and his intentions with regard to our client, American Production.

5. Mr. Roosevelt instigated, approved and promulgated the German Trade Agreement, which turns over to the Germans the power to fix their own tariffs on vast volumes of goods which they send into this country. For the agreement permits them to fix an "export" price by simply changing the label on their goods; and the "export" price so fixed can be so low as to destroy all the protection

in the Dingley Law for the makers of similar goods here. This agreement also provides that our special treasury agents shall be certified to the German Government. This means that they are acceptable or rejectable by the German Government. These special agents are our attorneys or representatives in guarding our interests in the valuation of German exports to this country. To give the German Government the power to accept or reject these agents is the same as to give a criminal at the bar the power of selecting his own judge and jury from among his companions in the crime for which he is to be tried. For in any contest relative to exports to this country, which we may have with that Government, it gives the German Government power to select our attorney and the judge who sits on the case. This is plainly the work of the Importing Trust, operating through its employé, Mr. Roosevelt. It is said that Mr. Root negotiated this agreement. If he did, it must have been as the representative of the German Government; for our people seem not to have been represented, so far as the interests of our client, American Production, are concerned.

The knitting mills of Chemnitz, Germany, were for many years the deadly antagonists of our knitting mills in the Mohawk Valley, and the Germans practiced every trick by which to cheat our tariff laws and destroy our knitting factories. At last, we believe during the incumbency of the General Appraisership of the Port of New York by Mr. Wakeman, so ignominiously removed by Mr. Roosevelt for simply doing his duty, these Chemnitz people were reduced to some kind of order and our knitting mills flourished as never before. We wish to inquire, whether or not, to square the old grudge

which he had against Mr. Wakeman and anything he did to help our client, American Production, Mr. Roosevelt took special delight in leveling our knitting mills by the German Agreement? We ask because contemporaneously with the appearance of figures showing the great increase of our imports from German knitting mills permitted by the German Agreement, we read the following in the New York Globe of November 11, 1907:

“Amsterdam, N. Y., Nov. 11.—The knitting mills of A. B. Morris & Son, Yunds, Kennedy & Yunds, and Gradner, Waring & Co., employing about forty-five hundred hands, have closed down. Salesmen on the road have been unable to make a sale for four weeks. It is feared that many other knitting mills in the Mohawk Valley will have to shut down.”

This is a result which was prophesied by intelligent people the moment the terms of the German Agreement were made known. And this is but the beginning of the deadly work which either the ignorance or something worse of the most reckless and ruthless Chief Executive with which the American people were ever afflicted executed in the dead of a dark-lantern night.

Ever since Mr. Roosevelt's coming to full power, under cover of attacking the railroads and the “trusts,” he has waged relentless war on American Production. In doing this work of destruction, no theory can account for the venom which he has shown against American Production, except one which points to the Importing Trust as the moving influence.

Your Honors, we repeat once more and protest that we do not charge Mr. Roosevelt with conspiring directly with the wily plaintiffs, in the first place, to secure his nomination on the Republican

ticket in 1900; in the second place, to secure his renomination and election in 1904; and, in the third place, to secure the election in his own place and stead, in 1908, of Mr. Taft, his friend and fellow laborer for the destruction of our client, American Production; and we do not say that Mr. Roosevelt is anxious to have his bosom friend made President in order that he himself through his presidential appointee, may still retain a hold on Federal patronage and Federal favor in the State of New York, large enough to force his own election as a Senator from New York to the National Congress; and we reiterate that we make no charge of this kind; but we also reiterate that if Mr. Roosevelt had been hired by the New York Importing Trust to do exactly what the Importing Trust wanted him to do, in doing all the matters and things we have enumerated, he certainly would have earned his money, and, in case of a dispute on that point, a fair jury would give him judgment. But, your Honors, why should we expect a different record from this on the part of Mr. Roosevelt?

An inspection of his brain-cells does not justify a different expectation. For those cells in the region of sympathy are scanty and weak; and this is proven by his passion for shedding the innocent blood of his four-footed brothers and his carelessness of the consequences to the lives of his victims following such action as he took in the Tyner matter, the Brownsville matter, the Long matter, and the matters of the dismissed coachman and the suspended pilot Nicholls. In this respect Mr. Roosevelt is very much of a savage.

Again, his brain-cells which have to do with opposition, with fighting, and violent action, are very fat and healthy and are innocent of race-suicide.

Considering the weakness of his sympathy brain-cells, the strength of those last described make Mr. Roosevelt a man rather liking the sight of blood than otherwise. He likes to shoot; and when he shoots, he shoots to kill; whether he is potting bears in Louisiana or "trusts," otherwise American Production, in Washington.

Furthermore, the brain-cells that should compel prudence, discretion, deliberate and well-thought action are also weak; and this accounts for his headlong manner in employing the telegraph to dismiss a Mississippi pilot, without judge or jury, and against the testimony of expert eye-witnesses that the deposed pilot was altogether blameless. Mr. Roosevelt supposed the poor fellow to have approached his own boat too irreverently, that was all. In this Mr. Roosevelt is a good deal of a Kaiser. He forgets there are courts and orderly processes to punish real offenders. He rolls up his sleeves and dips into the bloody job himself; as he did on Kettle Hill, when he threatened himself to shoot any fellow that ran away from the enemy, although none of those soldier boys had any more idea of running away than he had.

And this suggests another group of brain-cells belonging to Mr. Roosevelt, which are very robust; and that is the group that, when large, causes vain-gloriousness, a longing for the lime-light; an indulgence in swagger and bluster and a general aspiration to be the whole show. And this group, so large, round and rosy in Mr. Roosevelt, will not let him decline a third term. Nay, it is causing him this minute to listen to the entreaties of these wily plaintiffs to carry out the good work he has so well begun in their behalf, still keep his grip on the Republican press-agency, through which he has

filled the country with a fictitious echo for tariff "revision," and himself conduct the "revision" which the inspired article of his in the North American Review says he is and has been so anxious to effect. For, your Honors, we verily believe that Mr. Roosevelt himself, in the service of these wily plaintiffs, the Importing Trust and the Exporting Trust, and through his "cuckoo" press, is at the very root of all the whispering we hear with regard to the country's desire for "tariff revision." We believe this sentiment is altogether fictitious, manufactured by Mr. Roosevelt, through his servile press agency, in obedience to these wily plaintiffs. And we believe, also, that Mr. Roosevelt is himself the real utterer of the "tariff-revision" sentiments given air to by Mr. Taft at Columbus; and we believe that Mr. Taft is really Mr. Roosevelt in disguise.*

We believe that Mr. Taft is Mr. Roosevelt's stalking horse for the presidential nomination, and that it was through Mr. Taft that Mr. Roosevelt wanted to "smoke out" the country as to the state of its mind on "tariff revision," the same as Mr. Dickinson, ex-member of White House "Cuckoos," said Mr. Roosevelt, by himself starting the Taft boom in Washington, "smoked out" the opposition to Mr. Taft. If having sprung the trap with Mr. Taft's speech at Columbus for a bait he finds the public

* "In the judgment of men, of whom I am one there was a mistake in that change. In the light of history, I think it would have been better to have left the Presidential term of seven years with an accompanying ineligibility. [Applause.] If that were the provision we should not now have the spectacle of our strenuous President playing a game of hide and seek with the American people." [Laughter.]

Mr. Justice David J. Brewer, of the Supreme Court of the United States, speaking before the Civic Forum at Carnegie Hall, New York City, Wednesday, Nov. 20, 1907, as reported in the *N. Y. Sun*.

indulgent towards "tariff revision," Mr. Roosevelt purposes to work the Republican Convention so it will stand on its hind legs and howl for him; then his friend Taft, with a deep salaam, will gracefully and graciously withdraw in favor of his chief, Mr. Roosevelt, and Mr. Roosevelt will be nominated by acclamation, and the leaders of the Republican party will complete their performance of acting like little wooden monkeys running up and down little wooden rods in the hands of Mr. Roosevelt, in which phase they have been figuring for the last five or six years. All this will have been cut and dried before hand, and then Mr. Roosevelt will shy his castor into the ring and rush in as the champion of tariff "revision"—all as these wily plaintiffs have planned and conspired for, lo, these many long moons.

And this brings us to another group of brain-cells, also large, round and rosy, which gives Mr. Roosevelt the ability to contrive *mises en scène*, nominations by acclamation, ovations from the populace and all the other fixin's necessary to a successful demagogue's career; the same group which led him to rig Mr. Fairbanks with the "cocktail" episode, which made the papers contrast the water-wagon Roosevelt with the sinful cocktail Fairbanks and report how the Water-Wagon in the Louisiana swamps, pot-shooting bear, "carried a noon lunch and a *bottle of water*"! This invaluable group of brain-cells, your Honors, invaluable above all to those who hope to fool all the people some of the time, is known in Phrenology as "secretiveness," an indispensable piece of head-furniture for gods and men, pickpockets and Presidents who pull wires for third terms. Put this robust group with that which makes for vain-gloriousness and you have a combi-

nation that is bound to fool a lot of innocent people all the time.

There is another group of brain-cells, your Honors, which is weak, yellow, and puling in Mr. Roosevelt's head-pantry—that is “weak” only in comparison with the mightiness of his ambition, his war-thirstiness, and his secretiveness—and that is the group that if large would make him a philosopher. That group is the one which gives people an intuition of the relation of cause to effect. This deficiency on the part of Mr. Roosevelt's head-furniture, is a perfect godsend to his friends, these wily plaintiffs; because Mr. Roosevelt can carry on his war against our client, American Production, and not see very clearly what others see, and that is that he is making people wonder if his thinkers don't need oiling. It makes him a zealous servant of these wily plaintiffs without quite realizing what a holy show he is making of himself to people who have no bats in their belfry.

We know, your Honors, that this country is full of simple-hearted people who don't know gold bricks when all the gold is scraped off and the red shows through; and we know that these good folks would never believe that they had only been fooled by a presidential press-agency into the silly notion that Mr. Roosevelt is not the humble servant of these wily plaintiffs; and they would never believe that to trust in him and follow him up hill and down dale would be to dig a great pit for the country's prosperity; to assure a greater or less destruction of our faithful tariff-dike, and so a greater or less destruction of the lives of our wage-producers. But Mr. Roosevelt's lack of natural sympathy, the mood and make which stand behind his thirst for the chase and its bloody goal, make

him sceptical as to the suffering which his fooling with the tariff-dike is sure to cause. We know that our hero-worshippers, with their adoration fanned to flame by a press-agency with Mr. Roosevelt himself working the bellows, will not listen to our hint that there is more than a platonic friendship between their President and these wily plaintiffs; but whether or not he has such a friendship for these wily plaintiffs, he has never shown the least suspicion of friendship for our client, American Production.

But, we ask again, why should he have any sympathy with American Production? He does not know what it is to be compelled to produce or die. He was born with an independent fortune and has never needed to earn nor has he ever in his life, earned a dollar, honest or dishonest, except as a politician. He has landed in various offices as the result of strenuous politics; but he has never "needed the money." He does not know what it is to have his factory closed by the jabbing of a hole in our anti-deluge tariff-dike, while his job "folded its tents like the Arabs, and as silently stole away," to the music of a houseful of children crying with hunger and cold and the sigh of a haggard and hunger-haunted wife into whose lap he could no longer toss his week's wages. Not having known these things and not being of a sympathetic nature, but rather of a nature that loves to hunt wild animals, themselves the heads of families and also earning their daily bread, and cut them down with bullets from magazine rifles and stain the sad earth with their innocent blood, how could he be expected to sympathize with men out of work or to take any other view than the one he does take, viz., that the tariff-dike is merely a political plaything to be

tossed about as the interests of politics may require?

With such an origin, Mr. Roosevelt's natural sympathies are all with the pomp and pageantry and consequence of wealth and power. He has a notion that he was born to rule and that the king can do no wrong; for his course in the presidency has shown that he thinks that what he does is right for the reason that he does it. He has the impatience under opposition that comes from the consciousness of his aristocratic antecedents. And yet, his servility to a flattering tongue, as, for instance, Baron Von Sternburg's, shows a desire to accord with those who praise him that betrays the sprinkling of plebeian blood with which his veins are unhappily disgraced. Impetuous, praise-loving, impulsive, his foresight often misses the target while his hindsight seldom makes a bull's eye. His constant longing is for popular clatter and applause and his constant act is climbing to the platform and parading himself in the lime-light. He is not gifted with wisdom, but longing much for at least its appearance, he studies phrase-making and the art of charming the vulgar ear with brave sentences; therefore his speeches are but a string of cheap and easy platitudes such as school-boys early commit to memory from their copy-books. He would have the public think that he had a monopoly of the "square deal" pipe-line and that we were all at the mercy of his turning the cock on or off. He does not seem to remember that the courts are with us to enforce a "square deal" and that that is the sole business of our judicial system. In fact, he seems never to realize the existence of the courts at all except when they restrain him in some over-strenuous act, and then his only remark on the

situation is to express the hope that he can bring the courts around to his way of thinking; or to hint that future courts may be constituted so as to coincide with him—gently and with an ivory hedged smile laying his hand on the sheath of his Big Stick the while.

The qualities stimulated by the hunt and by his strenuous life in controlling primaries are seen in his public acts. He leaps with steel-shod feet on the slim young body of the Spanish King; but salaams politely before the erect and irate Mikado. He cannot leave to the courts the guilt or innocence of a Tyner; to the courts-martial the trial of an alleged mutiny of colored troops; to the discriminating public the decision as to the story-writing merits of a Long or to the proper board of inquiry the fault of a pilot Nicholls, but in noble fury, leaping single-handed to the centre of the stage he manfully tries, condemns, sentences and executes everybody, holding it far better that ninety-nine innocent men should suffer than that a single guilty one should escape.

Your Honors, Mr. Roosevelt has a capacity for serious mischief which, if he be not restrained by a regenerated public sentiment, may lead him to do as malevolent things to destroy our entire tariff-dike as he did to damage it with the Cuban Treaty. The capacity we refer to is that which makes him prostitute constitutional power given him for a public purpose to the forcing of reluctant legislators to do his will for a private object. You may remember, your Honors, the circumstances under which Mr. Roosevelt, right against the will and purpose of the Republican majority in Congress, succeeded in forcing through that body the Cuban Reciprocity Treaty, with all its frightful damage

to our own solid industrial development. You may remember the current report at that time, which was to the effect that, failing of the requisite number of votes to get the measure through the House, Mr. Roosevelt sent for one after another of the balking members and used his own personal persuasion to secure votes for the Treaty. He kept this up assiduously until he had "seen" nearly the whole list of recalcitrants. Meantime his press agency was set furiously at work flagellating the "insurgents," as they were ignominiously called, and pillorying their "selfishness" in setting the interests of their own little congressional beet-sugar districts over the "starving Cubans"—otherwise the New York Sugar Refining Company, your Honors—and their want of patriotism in not following the great and good patriot in the White House. These poor Congressmen knew that to pass this Treaty was merely to pass a bag of money out of the pockets of their constituents and the United States Treasury into the pocket of the Importing Trust. And yet, one after another, after Mr. Roosevelt had "seen" them, they fell in line and the Treaty finally went through by a good majority. Your Honors, what did Mr. Roosevelt say to these recalcitrant Congressmen, whom he thus put through the third degree? He got their votes, but how? Not by logic, your Honors. Not by convincing those keen men that he was right and they were wrong. They were eternally right and they knew it. He was eternally wrong and his conscience, if he had any, knew that too. He was smaller in mental girth than they. He was and is and always will be weak in his causal brain-cells; and he was younger than they. They were keen reasoners, backed by their absolute knowledge of the effect

of this Treaty on the country's wage-producers; and many of them were gray-beards old enough to be his father. What was it that conquered them, your Honors? We do not say it, but some of the newspapers said that he threatened these Congressmen with political annihilation if they did not yield the point. He would destroy them in their districts at home by his press-agency; and he would spoil their records in Congress by arranging with the Speaker of the House never to recognize them on the floor of Congress and thus to nullify their usefulness to their constituencies. We do not care what he said to them, your Honors. He had the power to injure those men if they did not yield. He knew it; and they knew it. He knew they knew it; and they knew he knew it. What was this power? The part of it not contributed by his press-agency was the appointing power given him by the Constitution for the convenience and authority of public business. It was not given him for the purpose of effacing Congress; not for the purpose of forcing Congressmen, in order to save their own heads, to vote against the interests of their constituents. But the fact that he could use this appointing power, as well as his press-agency, to effect the political death of these men overawed them and deprived this country of that to which it is entitled, viz., the benefit, on every public question before it, of the judgment of Congress as a deliberative body. When Mr. Roosevelt sent for these Congressmen one after another and "talked them around," he destroyed Congress as a deliberative body. A man sensitive to the delicate relation which must exist between one who has power to do an injury and the person to whom the injury can be done, would have scorned to take the course taken by Mr. Roosevelt. But

above all things he is a politician and in that role he was, in the matter of the Cuban Treaty, a usurper of the power of Congress by diplomatic blackmail. For he forced Congressmen to give up their liberty of thought, speech and action to save their political lives. They ceased to be Congressmen and became for the time political assets of Mr. Roosevelt. There seems to be no doubt that Mr. Roosevelt, in fact, when he has some pet measure which he wishes pushed through merely wipes out Congress by intimidation and himself becomes the whole show. It must be remembered that Mr. Roosevelt made the Cuban Treaty a private and personal measure of his own and secured for himself alone whatever reward was held out to him as compensation for thus forcing the Cuban Treaty through the House. It makes no difference what the recompense was; whether it was the mere hope of being scratched on the back by some portion of the public for having done what the Importing Trust press might call a magnificent act; whether it was a certain prestige which would help some later scheme; or whether it was a bribe in dollars or doughnuts. The object for which this extraordinary usurpation of the powers of Congress was effected does not affect the fact that in this matter we Americans were ruled by an unscrupulous Czar and were not faithfully served by a constitutional President, who in theory at least, is the mere servant of the people. As we have hinted, one powerful instrument employed by him to destroy Congress as the deliberative body which the Constitution intends it to be, is the Press. We quote from an article in Harper's Weekly of September 28, 1907, written by Mr. J. J. Dickinson, the ex-member of White House "cuckoos" before alluded to,

"A multifarious host of the phenomena of Theodore Roosevelt, man and President, have been exploited and heralded to the uttermost parts of the earth. The one manifestation of him which is more potent and characteristic than any of the rest has never been connectedly set forth to the world. He is the greatest publicity promoter among the sons of men to-day. Whether consciously or unconsciously, he has formulated it, framed it, and hung it upon the walls of his mental storehouse, the fact is that his guiding motto is this:

.. "Let me have free access to the channels of publicity and I care not who makes my country's laws—or what the other fellow does."

In writing of Roosevelt the Press-Agent no word of disrespect is meant, for no feeling of disesteem is entertained. What shall be said will be based upon personal experience of about a year as assistant press-agent under the President, and close observation extending over the entire period of his occupancy of the White House. To

be more specific and to give my simple narrative the virtue of frankness, I shall make a confession at the outset, to wit: For the greater part of a year I was what is known in Washington as one of the President's newspaper cuckoos. In the parlance of Washington, a cuckoo is a journalistic bird that is permitted to make its principal roost close to the Executive chamber and report for the delectation of his editor, for the enlightenment of the public and the accommodation of the President, such outgivings or internal operations of the Presidential mind as may suit the purpose or the whim of the nation's Chief Magistrate. The cuckoo, or assistant press-agent, has an extremely difficult and hazardous task. * * *

Theodore Roosevelt secured his popularity through publicity. He has retained, extended, and strengthened it through publicity. As before stated, above all the men of his time he understands the power and necessity of publicity if one would achieve great results. * * *

Rarely does the President communicate with more than one cuckoo at a time. * * * In his handling of his assistant press-agents he observes the Napoleonic method of not entrusting the full details of a campaign to any one of them. If the assistant press-agent be the representative of a Washington newspaper Mr. Roosevelt may impart to him a fuller mass of detail than to the representative of a newspaper elsewhere. The reason for this is obvious. The Washington newspaper is read by the members of Congress and other public men in all parts of the country. Thus, if it suits the President's purpose better to plant the seeds first in the minds of the people's servants preliminary to sowing the whole broad field, he will employ his Washington cuckoo to make primary announcement, in a way somewhat cryptic to the popular intelligence, but sufficiently significant **TO THE MINDS OF THE EXPERIENCED POLITICIANS TO GIVE THEM WARNING OF WHAT THEY WOULD BETTER DO IF THEY DO NOT WANT TO GET HURT.** If, thereafter, the politicians display either obtuseness or perversity,

the President then calls to his side the cuckoos of out of town newspapers and through them inaugurates a campaign of education that may be either nation-wide OR CONFINED TO THOSE SECTIONS OF THE COUNTRY WHERE HE HAS REASON TO BELIEVE THE PEOPLE SHOULD BE INFORMED OF THE INDISPOSITION OF THEIR CHOSEN REPRESENTATIVES AT WASHINGTON TO BEND WILLINGLY TO THE EXECUTIVE PURPOSE. The best illustration of the employment of this method that comes to mind is found in his propaganda of the Taft Presidential boom. It has been more than a year since through his Washington newspaper cuckoo—the same being none other than the contrite writer of these lines—Mr. Roosevelt began publicly to let the world know that he desired his able Secretary of War to succeed him in the White House. Faithfully his desire in this matter was promulgated in a Washington newspaper so that every member of Congress who ran might read. In droves they ran when they did read—straight to the White House. There went Foraker, almost bursting with suppressed wrath. Also followed Foraker's amiable colleague, Mr. Dick, his curiosity whetted to a razor-edge. Precious little satisfaction did either of them get on the main point, for the good and sufficient reason that it is the prerogative of the Executive to envelop himself in vast, impenetrable silence when he so wishes on any topic under the sun. * * * As to why the President chose to impress first the Congressional mind with his wish to pass the succession on to Taft, that furnishes another interesting index of his character as a sagacious press-agent. It was the skirmish fire in his line of battle to develop the location and strength of the enemy—"the other fellow." It brought some of the enemy out of the brush and drove others scurrying to the cover of stumps and dead logs. But he marked them as they moved. Within a few weeks he knew who and where the enemy was, and he proceeded accordingly to deal with him. He waited six months, or from May to October, before he set his out-of-town cuckoos to work openly on the Taft boom. Then in a jiffy the whole broad continent heard its reverberations. * * *

He [Mr. Roosevelt at Jamestown] began his address thus:

"It is, of course, a truism to say that no other body of our countrymen wield as extensive an influence as those who write for the daily press and for the other periodicals."

In saying this, the President was not "jollyng" the editors—though be it known that when he wants to be he is the most successful "jollier" between the two oceans. * * * He has invited to Washington and entertained at the White House a larger number of men who write than have any half dozen of his predecessors. The list of those he has thus singled out for distinction is a long one and growing longer."

Your Honors, ever since Mr. Roosevelt has been President, he has been notorious as a successful advertiser. We might call it by a no longer but an uglier name, if we said "conspirator." For in such meanderings we can see nothing but conspiracy—a conspiracy between his "cuckoos" and himself to deceive the public into moods favorable to his schemes, by allowing the public to think what they read is mere current news matter, culled by reporters from all sorts of sources and published in good faith, instead of what it really is, an artful *mise en scène* to further the private purposes of the President. For, your Honors, the purpose is a private and personal purpose of Mr. Roosevelt. He is prostituting his high office to the ends of his private ambitions.

Now, your Honors, if Mr. Roosevelt would thus stoop to low intrigue in such matters as Mr. Dickinson has described, why should we not believe, that, for whatever motive might seem him good, he would do so with these wily plaintiffs? He conspired with the newspapers to launch the Taft boom in the method best suited to his purposes; but why is it not possible that the launching of the Taft boom is but the rounding out of his conspirator's contract with these wily plaintiffs? Mr. Taft is already advertised widely as the instrument by which "revision," the end "most devoutly to be wished" by these wily plaintiffs, is to be accomplished. Our old lawyers' maxim, your Honors, says, "*Falsus in uno, falsus in omnibus*," and if Mr. Roosevelt will so plainly conspire in one matter, why not in another?

As to measures which Mr. Roosevelt crushes through Congress by using the newspapers to "warn them [Congressmen] what they would bet-

ter do if they do not want to get hurt," Mr. Roosevelt knows that his one single opinion, his one single stock of honesty, his one single cargo of patriotism, or his one single group of brain-cells in the chamber of intelligence, is not likely to be of a better quality or quantity than the corresponding article furnished as the residuum of debate and deliberation after an exhaustive threshing out of the whole matter on the floor of Congress. He knows that one man's wisdom is not likely to exceed the boiled down sap and syrup of the wisdom of nearly five hundred men, all intelligent, all educated, at least in the great school of experience, and all sincerely patriotic. And with regard to whom our next President should be, he knows that the people of the United States, acting through their conventions, are more apt to choose the very man they wish to represent the policies they want, than any one individual citizen like Mr. Roosevelt, however pure in motive or high in patriotism he might be.

Moreover, in all these matters, which properly come before Congress, Mr. Roosevelt knows that he is given the veto power by the Constitution, and that no wicked legislation can smirch him or harm the country, unless two-thirds of both Houses of Congress are all wicked at once. He knows he can save his reputation by the stroke of a pen; and he knows the public would hold him guiltless even though it held Congress guilty. Ah, your Honors, we do not believe Mr. Roosevelt would want us to think he thought himself superior to the consensus of Congress or to our great people on any subject affecting their interests. Remembering that Mr. Roosevelt is an ambitious politician before he is a patriot, it is far more reasonable to suppose that he is grinding some private axe of his ambition in

his devious ways, than that he is really furthering or desiring to further the public good. And if that is so, your Honors, do not all signs point to his affiliation with these wily plaintiffs in their effort to rape the lock of our national savings bank?

Considering the sinister use he constantly makes of it, the great power for evil which Mr. Roosevelt, through his Press-Agency, has gained over public opinion, as described by Mr. Dickinson, is little short of appalling. It is easy to see how he gets and keeps this power. In a word, it is the old bread-and-butter argument. Public opinion conforms to the bread-and-butter necessities of the "cuckoos" at the capital. Upon its flavor and smack hangs the grub of the reporters. If they fill their papers with certain "copy" indicated by the President, and that copy gets in toothsome form to the public, the "cuckoos" get their grub. Otherwise they may get the sack—empty. Mr. Dickinson tells us how this is:

"He who is cuckoo to-day may find his place upon the perch taken to-morrow by another bird of fairer plumage; for the cuckoo wots not at what hour he is to be divested of his honors, his privileges, and immunities. It is as much the President's prerogative to choose his assistant press-agents as to select the members of his cabinet, and it is as incumbent upon the one as the other to step aside whenever the President indicates a desire for a change. And when the deposed cuckoo flutters with broken wing from his roost under the White House eyes he may find that his editor has separated him from his salary."

Mr. Roosevelt is the Mrs. Eddy of superlative politics, and if you are a "cuckoo" and fail to produce in your home paper at the psychological moment the exact shading of Mr. Roosevelt's thoughts and aspirations, you are evidently under the dominion of malicious animal magnetism and "your editor may separate you from your salary;" and all in

the name of the dear people! Should any man report his own opinion, or deviate in any material way from the exact line laid down by Mr. Roosevelt, the headsman winks for the unfortunate in the near distance. When one reflects on the thoughtlessness of the average reader and the fact that nine out of ten never rise above their newspaper, the self-effacement of Congress before the Rooseveltian frenzy is not hard to explain; and one cannot help asking himself the question whether or not our people after all are not of monarchical pattern. Dearly do they love a one-man power. It suits their hero-worshiping mood, and—their laziness. So, under Mr. Roosevelt's careful leading of his "cuckoo" flock with their seductive messages to the dear public, the most solemn and oracular deliverances of our newspaper *sancta sanctorum* may be only the graphophonic repetitions of the grand things poured into the "cuckoo's" ear at the White House; and yet, from the indolence of the public and its willingness to swallow political pabulum from popular people without a wink, such effusions, the adroit suggestions of personal ambition, are sure to determine public opinion. For instance, listen to this from the *Pittsburgh Leader*, commenting upon the profits of the Standard Oil Company, as divulged by the report of Mr. Herbert Knox Smith, of the Bureau of Corporations:

“ ‘Profits’ and ‘earnings’ are wrong words to use. Loot or plunder would be better. * * *

“It is not a question of water or fictitious capitalization with this company; it is simply a matter of downright robbery.”

Your Honors, Mr. Roosevelt is directly responsible for these atrocious words. He has shown as little regard or as little scruple for sacred property

rights as it is possible to imagine; and here is the echo of his cuckoo press! Your Honors, the only "loot" and "plunder," the only "downright robbery" in sight is being perpetrated by Mr. Roosevelt and his cringing newspaper followers and cuckoos against the reputations of people who, at any rate, earn their living in faithful and hard work outside of politics. This paper was simply trying to out-Herod Herod himself in its push for imperial favor; and the result is this hoarse-throated anarchy, this clarion call to the jail-birds and slum-gudgeons to rally for the plucking of this corporation against which no charge can be brought other than the charge of a wise, far-sighted, sagacious, and economical management of its business and a solution of problems of production and distribution which have brought their no more than merely just reward. This Rooseveltian obsession does not seem to have spared such a high-class newspaper as the Philadelphia Press, which says, in connection with the same political outrage, the rape of the profit sheets of the Standard Oil Company and their malicious exhibition, with anarchistic comment to the public:

"When a corporation handles 90 per cent. of a necessity of life, as petroleum and its products are, its operations have no right to be secret. * * * No man can be trusted with the power in secret over the price of a commodity necessary to all."

Your Honors, such talk as this is pure sedition, in view of the fact that the law gives every person or corporation the right to buy as much property as it pleases, keep it as long as it pleases, and sell it when it pleases, at any price it is willing to take and the buyer is willing to give, rather than go without the property. There is absolutely not

a line of law anywhere fixing a limit to the acquirement, as objects of trade, of the "necessities of life;" and what power but that of the people through constitutional amendment can put the ban of outlawry on him who controls "90 per cent. of a necessity of life?" And in the meantime how can such papers as the Philadelphia Press lend themselves so far to anarchy as to say, "No man can be trusted with the power in secret over the price of a commodity necessary to all?" Why do their Solons nod and entrust their columns to the scribbling of callow sophomores? The law does not limit rights of property in "commodities necessary to all;" and until it does, and does it so distinctly that every man will know just where he's at and what his rights are, all harangues of this nature are an invitation for each fellow to judge for himself whether his neighbor's property is "a commodity necessary to all," and so common property, and, in regard to stealing from the "malefactor of great wealth," to practice any form of casuistry which his ingenuity may furnish. Thus does the dread form of anarchy loom up in the lurid light of Mr. Roosevelt's fulmination against our client, American Production; and from that source these wily plaintiffs draw their hope of soon cracking our savings-bank safe again.

Bearing in mind the fact that everything relative to the President's movements, so anxiously sought after by the press, must come only through the cuckoo-chorus, and so with substantial directness from Mr. Roosevelt himself, a curious bit of sagacious contrivance just now occurs to us. You will remember, your Honors, how badly Vice-President Fairbanks fared at the hands of the press, with regard to the "cocktail" episode at his house

in Indianapolis; with what persistency it was kept going the rounds of the press under one form or another and never let die; how the Methodists of Indiana were kept stirred up about it; and how a certain bishop was reported to have said that it was Mr. Roosevelt himself who ordered the cocktails for Mr. Fairbanks' reception, a report which was afterwards denied; and how at last the Methodists of Indiana were alleged to have declined to send Mr. Fairbanks as a delegate to the Baltimore conference because he had served cocktails at his house on the occasion in question. But did you observe in the press, only the day or so after Mr. Fairbanks was turned down as a delegate, as before noted, the following item in the daily papers?

“The President will ride on the boat Mississippi. The great steamboat will be a literal floating **WATER WAGON**, for not a drop of liquor will be allowed on board.”

And a day or so later did you remark this item in your daily paper:

“**NO COCKTAILS FOR THE PRESIDENT.** Sherry will be the strongest drink at the St. Louis luncheon”—

following with the details of how, in spite of the fact that “a host of Governors, including the Governor of Kentucky would be present,” “Bole” was ordered “to cut out the cocktails?”

And a week or so afterwards, did you observe this in a New York paper:

“Stamboul, La., Oct. 7.—Late this afternoon the President had failed to get a bear.

“A courier came into Stamboul this evening from the camp and reported that the President had not returned. The supposition therefore was that he had not been successful, as the game would have been brought into camp if he had killed anything. It is expected that he will remain in the thickets until dark. He carried a noon lunch and a bottle of water.”

Abstemious austerity to burn!

And but little later the papers were hastening to tell the country that Mr. Taft, at Manila, would tolerate no liquors at his reception.

And under date of Nov. 4, 1907, it was piped from St. Louis that

“President Roosevelt is greatly pleased with the State wide prohibition feature of the Oklahoma Constitution and that it will constitute one of the strongest reasons for his approving the document.”

Oh, your Honors, in view of our knowledge of this “cuckoo” chorus in the White House, is not all this cold-water nonsense sickening? Does not it look like a Roosevelt bid for the Prohibition vote? Isn’t it just a cut and dried program throughout of this manufacturer of public sentiment? First, we have poor Mr. Fairbanks pilloried for countenancing cocktails. Then we have Mr. Roosevelt’s cold-water virtues rung in by contrast with a feeble echo of “me too” from Mr. Taft. Then, at the present writing, we have Mr. Roosevelt again made illustrious by his prohibition tastes. Walk up, gentlemen of the Convention, whether you choose Roosevelt or Taft, you may be sure of the cold-water vote!

Not only in the management of his press-agency has Mr. Roosevelt shown his natural bias to capture public opinion in questionable ways and to use as a Big Stick power placed in his hands exclusively for a different purpose. The Constitution did not intend that any President should use his appointing power practically to snuff out Congressional opinion; nor did it intend that what is known as its “commerce clause” should be used as a leverage to hoist any politician into meteoric popularity. The Constitution gave Congress power “To

regulate commerce with foreign nations, and among the several States, and with the Indian tribes;" and it meant that the power of regulating commerce "among the several States" should be of exactly the same nature as that given to Congress with regard to "foreign nations" and "the Indian tribes." It meant merely that Congress might take note of the physical character of the objects of such commerce; whether these objects should be exchanged at all; or, if exchanged, whether they should undergo inspection as to their character. There never could have been any intention to give Congress power to help a politician wring arbitrary tribute from corporations within either of the States. The "regulation" was for the purpose of giving Congress power to provide for sanitary and law-observing-conditions in the goods themselves. But Mr. Roosevelt notoriously construes this power "to regulate commerce * * * among the several States" in the same manner that he construes his appointing power, viz., as a Big Stick wherewith to club into quietness any one who does not bend to his will in seeking some private and personal end. For example, evidently for the purpose of rousing the ignorant to a frenzy of admiration, he desires to be able to get at the private accounts of a corporation in order that he may show up its profits and point to it as a "cormorant" and as "a malefactor of great wealth" and thus make himself "solid" with the "peepul." And accordingly, through his officers and servants, he commands the corporation to produce its books and papers in court at a certain time and thereat and thereupon to defend itself against indictment under the Sherman Law as a combination in restraint of trade.

Now, your Honors, under the Constitution, Fourth Amendment,

“The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrant shall issue but upon probable cause, supported by oath or affirmation, **AND PARTICULARLY DESCRIBING THE PLACE TO BE SEARCHED, AND THE PERSONS OR THINGS TO BE SEIZED;**”—

and under this constitutional aegis any corporation, insisting upon its strict letter, could raise a question which would defeat the power thus usurped for the blackmailing of corporations; but if it should simply insist upon its rights, Mr. Roosevelt, using the Big Stick in the “commerce clause,” would shut off from interstate commerce the goods of such a corporation, perhaps to its ruin. That is, unless a corporation will pay either in cash or popularity, tribute to an unscrupulous politician, it can be destroyed by this false and wicked construction of a constitutional clause which never meant to give Congress jurisdiction over the person of a State corporation, but merely over its products and then only when the subject of interstate commerce, *and by general legislation affecting in the same manner all similar products.*

For our part, we do not see why the interstate-commerce clause of the Constitution cannot be made to authorize inquisitions into the private affairs of individuals as well as those of “trusts,” otherwise corporations. For, under that clause, Congress has power “to regulate commerce among the several States,” and so far as appears from the constitutional language, the word “commerce” is quite unlimited in its application. It seems to us, therefore, that if, by the threat of preventing a corporation from doing interstate business, that

corporation can be compelled to show up its profits and thus furnish ammunition to the *francs-tireurs* of our political mob, the same threat could compel individuals to do likewise; and thus the way could be opened to unlimited blackmail and to all the deviltry from which we supposed we had escaped by adopting a Constitution defining our rights. We repeat, sauce for the goose is sauce for the gander; the same compulsion applied to the corporation can be applied to the individual. If the regulation of interstate commerce is not exclusively *in rem* where corporations are involved, it need not be where individuals, are involved. If in determining whether certain goods made by a corporation shall be admitted to interstate commerce, you need not confine yourself to the goods themselves, and their effect upon the happiness of users; but, ignoring the goods entirely as a physical proposition, you can go farther back and inquire who produced the goods and let their rights in interstate commerce depend upon the moral character of their producer alone as that character seems to you, there seems no good reason why the goods of an individual also should not be put to the same test and, as to their interstate rights, stand or fall according as their maker was white or colored, Jew or Gentile. Where would this thing end, your Honors, if Mr. Roosevelt's position were right?

In thus manufacturing popularity for future use in line with his private ambitions, Mr. Roosevelt resembles a messenger boy, who, sent to deliver a package to some one, should hold the package as his own property. The President is merely the messenger of the people. He is sent with a package of appointments to serve the people's interests

and not his own personal ambitions; but he appropriates this commission as a means of disciplining Congressmen who do not vote for a Cuban Treaty, a measure which he imagines will add to his personal popularity. Or, he is the messenger of the people under the interstate-commerce clause of the Constitution, to regulate such commerce for the purpose of governmental revenue, to prevent disputes between States, or for some other common purpose, note being taken of the fact that all such regulations were meant to be *in rem* and not *in personam*, as our legal expression has it; and yet the President twists this power into a Big Stick to hammer a corporation into acquiescence in a barbarous inquisition of its books, for no other apparent object than to continue his shadow dance for popularity among thoughtless people; unless it might be to frighten and discourage our client, American Production, for the benefit of these wily plaintiffs.

An illustration of this latter usurpation of power is furnished by the prosecution, or, more properly, the persecution of the Standard Oil Company. There is no doubt whatever that this suit was undertaken at the special instance of Mr. Roosevelt and as a spectacular fulfilment of his fulminatory menace against "malefactors of great wealth." Considered as a corporation having an army of innocent employees and another army of as innocent stockholders, the only offence of which this company had been guilty was that of being perhaps the greatest in this country. This feature of size however, was exactly what attracted Mr. Roosevelt's attention. In the decalogue of the President it is strictly forbidden to be either great or wealthy unless as a tributary to the President. Now, by

virtue of using the interstate-commerce clause of the Constitution as a Big Stick, this corporation was compelled to turn its books over to Mr. Roosevelt's special agent for the prosecution and this special agent hastened to lay before the country a statement of the profit-account of the pilloried corporation, for no other purpose in the world than to excite the enviousness, covetousness, and primitive malice of those of us whose brain-cells have an arrangement somewhat like those of highway robbers; for highway robbers also operate against others because others have made money which the "road agents" want. But highway robbers, your Honors, are not so shallow as to call "illegitimate profits" of "malefactors of great wealth" the money they are reaching for. Because they seem to know if others don't, that neither our Constitution nor our laws fix a point beyond which may not go profits made by selling your own property at the price at which the buyer also sees a profit in it for him. As far as we are concerned, for the robust frankness of the highwayman, who, when he holds up and robs a rich man, calls it just a plain hold-up, and does not soil his soul with hypocrisy, we have a greater respect than for the sneaks and snivelers, whether in the pulpit, on the college lecture platform, or in the editorial or the presidential chair, who salve their consciences and fan the fire in their itching palms with the explanation that they purpose to appropriate to themselves merely the "illegitimate profits" of "malefactors of great wealth;" although, after all, the highwayman and these latter gentry are common criminals on the same job.

In his attacks upon wealth as such, there is no calculating the damage done by Mr. Roosevelt to

the every-day morals of hundreds of thousands of our intellectual weaklings. It is impossible to defend him on the ground that it is only wealth dishonestly gotten against which he launches his Olympian lightning. His talk about inheritance and income taxes, his deliverances as to "swollen fortunes" and their proper limitation, and his malicious and mischievous exhibition to the country, not of any wrong-doing, for not the slightest wrong-doing has yet been shown, but of the alleged enormous profits of the Standard Oil Company, prove that, in his venomous persecution of this great company, it is not punishment for the violation of any law which he aims at, but the destruction of our client, American Production, and, as we believe, in the interest of these wily plaintiffs, whose ally we solemnly aver him to be; and in obedience to the inspiration, of whatever kind, which he receives from these wily plaintiffs, he fans to white-heat flame among our countrymen all the narrow, malicious, and vicious prejudices, all the enviousness and covetousness of which simple souls are capable, and labors to stampede them to his assistance in overwhelming our client, American Production, by a "revision" of the dike or an approval of the thrice-infamous German Agreement. Your Honors, in reviewing all the facts that dove-tail into each other so closely in this combined assault of these wily plaintiffs and of Mr. Roosevelt upon American Production, would we not be more than justified in supposing something deeper than a tacit conspiracy between them to this common end? What more effective instrument could these wily plaintiffs have selected for their purpose than Mr. Roosevelt? What action more favorable to these wily plaintiffs could Mr. Roosevelt have taken than

to discredit American Production by characterizing its most powerful representatives as "malefactors of great wealth" and by showing to the public the profits of our greatest corporations and so angering the howling rabble against the rival of these wily plaintiffs in our market, American Production? And what action could Mr. Roosevelt have taken which more clearly gave the true key to all his violence against American Production than his part in the German Agreement? Does it not look, your Honors, as if, bound to these wily plaintiffs by invisible but unbreakable ties, committed heart and soul to all their vicious purposes, working with all his power to put the people in a mood to give the wily plaintiffs what they asked, the key to our savings bank, yet fearing the effect of an open alliance with these wily plaintiffs in their campaign for "revision," upon his ambition for future favors from his own political party, he saw and used the Sternburg route to dike-destruction, which would do everything possible to be done by tariff "revision," and yet leave him still the plausible champion of Protection?

But in spite of all his open and secret faults, his sins of omission and commission, outrages against decent conservatism and insults to the common sense and often the consciences of his humble subjects there are many, camp-followers and others, who see in Mr. Roosevelt the fulfillment of the ages for wisdom and integrity. But we cannot reconcile his sayings and doings with common rationality, to say nothing about reconciling them with the notion that he is the wise of all the wise.

Particularly in his presto-changing of all our unrighteousness to righteousness, our Chief Magician seems to forget, or rather he explicitly

scorns our Antinian bonds to Mother Earth. Business, industry, every road from the bakery to our poor stomachs, must rather "go to the wall" than that "My Policies" shall deviate one jot or tittle from their ordained path.* And yet, if thou starvest out of commission our stomachs, O Great Magician, wherewith shall we assimilate thy Manna? We don't think this method of attacking unrighteousness shows wisdom.

But as to integrity, the case is just as bad; for Mr. Roosevelt, according to his own definition, is the greatest "Malefactor of Great Wealth" in the world. Because he is the most powerful potentate in the world, merely by virtue of his hold on public opinion here, no matter by what inside "deal," by what conspiring with poor bread-winning cuckoos of the press, or by what effacement of Congressmen, who have learned "what they would better do if they do not want to get hurt." Now, your Honors, if wealth is power, as sure as we live, power is wealth. Therefore, Mr. Roosevelt is the wealthiest man on earth. Then, is the frightening of the country into a panic a benefaction or a malefaction? We think you will agree that it is "evil doing" rather than "well doing." Well, that is a malefaction and the fellow who does it is a malefactor. And we submit that we have proved our statement.

Then, again, as to this head of integrity, we are sorely under stress for another reason. Mr.

* Mr. Roosevelt, in his Keokuk speech, used this language: "At intervals during the last few months the appeal has been made to me not to enforce the law against certain wrongdoers of great wealth, because to do so would interfere with the business prosperity of the country. * * * In each case the answer must be that * * * if righteousness conflicts with the fancied needs of business, then the latter must go to the wall."

Roosevelt calls some of us "Malefactors of Great Wealth" and says we are "trusts" of abhorrent devices. But, through his press-agency and the incidental powers of his office unlawfully used, Mr. Roosevelt has "cornered" public opinion just the same as some of us wicked ones corner beef, tobacco, paper, kerosene oil, steel, cotton, and the like. But public opinion is just as much a necessary of business life as wheat is of domestic life; and yet Mr. Roosevelt seems to hold about our whole crop in the hollow of his hand and he is squeezing the rest of us up to nominating him for a third term as the price at which he holds it. In other words, he is a great public opinion "trust." He cornered it by just as dark ways as we ever cornered wheat or anything else. And he is not going to let go his grip until he gets his price. According to Mr. Roosevelt this being a great big "trust" with a swollen fortune, "exacting" and "extorting" awful things of the dear public, is very, very wrong; and we think he convicts himself of being at any rate an active partner in "The Wickedest Trust in the World."

Now along back a ways we read you a speech from a New Haven gentleman who spoke right out in meeting about Mr. Roosevelt; and to show that he is not the only one who is crawling out from under the general intimidation which Mr. Roosevelt holds over the country, we will read you a letter printed in the New York Sun on the morning of November 14, 1907, as follows:

MR. ROOSEVELT.

An Estimate of His Character and a Prayer for His Conduct.

To the Editor of The Sun—Sir: The business community revolts against inquisitorial investigations in support of "My Policies," however strenuous and lofty, instituted by Mr. Roosevelt and prosecuted by his lieutenants in the interest of or in vindication of them, rather than of the "square deals" which he often misinterprets. His best friends, those who personally have known him from his youth, watched his career with pride and satisfaction and have dared to advise him, agree that he is absolutely honest but unwise, impulsive, shrewd, obstinate and impatient of contradiction. Others who have come into personal contact with him assert that he is deaf to argument, many times unreasonable, self-opinioned, resorting to invective with the ingenious skill of a litterateur in clothing words with novel applications, inventing new epithets and misapplying old ones.

In his public utterances he deals in sounding phrases which stimulate the passions of the popular majority against the well-to-do classes. He does not so much look forward to remedies as backward to faults and punishments for errors of the past. No admirer of his personality ever thought him a prudent statesman or a calm, judicious interpreter of the law. Dogmatic in his impulsive judgments, dictatorial to courts, juries, legislature and conventions, fond of oratory and popular applause, he seems always to seek the glare of the limelight on the public stage as well as in the retirement—if he ever retires—of his home, where he submits to the camera and has portrayed his skill as a horseman, a woodsman, a hunter of beasts and birds and, as he is, a most excellent father of a large family!

He is picturesque as a soldier in rough rider costume, as a horseman leaping fences, a hunter following the hounds, chasing lions and bears; in all manly sports he is a spectacular example.

His courage no one doubts; in the field, council chamber or on the platform he is ever the principal figure, bold, emphatic, full of violent gesture, irrepressible, attractive to the multitude—to the thoughtful unsafe! He brooks no interference, seeks no advice, sends his chief councillors abroad at critical times, surrounds himself only by councils of young men who listen and are either silent or meekly acquiesce in his determinations, or whose murmurings of dissent are whispers or asides, of no weight with him or the public. Indeed, he assumes to be and is the "entire show." Those who differ from him or do not approve all his methods he promptly classes as "his enemies."

It is in a measure unjust to Mr. Roosevelt to assert that he is the unique cause of it all; but it is undeniable

that he has been and is an important factor in the grave concern which pervades all honest business enterprises and industries from one end of the country to the other. He started the fire which has reached the condition of conflagration; has added fuel to the flames, instead of trying to confine them to proper limits, by reiterated denunciations and unnecessary threats.

Mr. Roosevelt may believe honestly that our national, commercial and domestic sins can be expiated only through suffering and distress and that he is an apostle who is only fulfilling a mission. Will not a tired people prefer more moderation and less absolutism for a few years and cry out for rest? He is credited with being instrumental in giving peace to warring nations of the Old World; why should he stir up dissensions at home? A pacificator builds a more enduring monument than an agitator. Of the former we have too few, of the latter too many. But a President-Agitator, however sincere, is dangerous to every interest, great or small, to every citizen, rich or poor. The dinner pail was full when he came into power; will the owners of empty ones rise up and accuse him for the emptiness when he appeals to them again? That is the question his well wishers are hoping he will, if possible, consider calmly, even though he disregards the innocent victims of his crusade against the comparatively few "wealthy malefactors."

For the moment Mr. Roosevelt is wisely silent, perhaps astounded at the weight given his oratorical effusions at home and abroad, and alarmed at their effect upon honest enterprise and the strength they add to the schemes of the turbulent dissatisfied or unruly elements of our complex society. We cannot expect him to retract or recede from "My Policies," but beg that he will not indulge in renewed and unnecessary explanations of them. We fully understand him and them. That for a time he may keep on the conservative side of silence and permit the country to work out its own salvation through its courts and constitutional methods, uninfluenced by his forcible rhetoric, ex parte judgments and the opinions of youthful, inexperienced detective commissioners, is now the prayer of the whole country.

AN ADMIRER OF MR. ROOSEVELT.

New York, November 13.

Now, your Honors, we submit that this is a fair and just estimate of Mr. Roosevelt; and that all those who have heads to think, after seeing him illuminate the nation for the better part of eight years, agree with this writer that he is "attractive to the multitude—to the thoughtful unsafe;" and we cannot but wonder why it is possible that this sober nation, after all it has suffered,

can listen to third term talk without downright sickness at the stomach. Why, your Honors, the woods are full of crooked sticks! Why should we take just this one, rather than ten thousand others that, though not exactly straight, are a good deal more straight than the one we are leaning on? We think the only thing which explains this is the grip the President has on Congressmen through his Big Stick and his press-agency. They are all afraid of him. At heart none of them loves him.

But, your Honors, why choose a crooked stick at all? If the woods are full of crooked sticks, they are also full of straight ones. It is not too much to say that we have at least a thousand bank presidents in this country, so broad, so intelligent, so true, and so discreet that either of them would make the most practical president in the world. The same thing could be said of our great captains of industry; and of our merchant princes, who have not been corrupted by foreign trade and the finding of treasures in foreign markets instead of our own market here.

And yet the politicians are saying, "Mr. Roosevelt can have the delegation from my State if he wants it. If he does not, Mr. Taft is our second choice." Why, your Honors, these people are the chattels of the Roosevelt administration. When they speak, it is a graphophone running off a Roosevelt record.

How shrewdly, your Honors, has Mr. Roosevelt joined his labors for these wily plaintiffs with labors for himself! With the passage of time, your Honors, this amazing alliance between business and politics will be apparent. When the glint and the gleam, the sparkle and twinkle, the sizzle and fizzle, the swish and the boom, have died away and

left only bitter smoke behind; when the glamour has turned to gloaming; when the glory and the glare have faded to twilight stars, the hour for thought will have come, and the American people will learn the truth of the saga, "Persistent advertising pays;" and that "persistent advertising" markets quack men as well as quack medicines. They will then remember that we have had Presidents who have lived and left their foot-prints on the sands of time, without the agony of great publicity; who "seen their duty and done it" with their right hand without tattling to their left. They will remember that all branches of our Government as well as our private business have, in the main, always been run by honest men; and they will come to know once more that honesty is a condition of living at all, and that people are as honest or as dishonest as their necessities, and that in Government as well as in private life, their necessities make the vast majority of men and women honest. They will recollect, when the spell has passed, that honesty is no curio; that Mr. Roosevelt did not discover it, and that if it is new to him, it is no novelty to the rest of the world. They will recollect that other Presidents, without sounding the bugle horn for the advance, thought it a matter of course to clean house quietly all the time; and if the exception to the rule of honesty was perchance discovered and dishonesty in the Government or in the act of some individual or corporation answerable to national law was found to rear its horrid head, without any fury or fireworks, to let the calm and non-flamboyant law take its orderly course. There was no advertisement; no heroics; no red fire. And then they will wonder how so simple and natural a thing as the honest running down of

dishonesty could have ever been used for an advertising hullabaloo. They will be ashamed that they ever should have seen morality in pyrotechnics. And they will be struck by the contrast between the ways of the sincere and single-hearted patriot and other ways that they have noted; between the smooth and noiseless apprehension of "wrong-doers" and their proper punishment, whether they be rich or poor, and the piff, bang, boom! with which dishonesty is laid low when the hearts of the faithful need a new firing in fealty. And then will the sobered second thought of the people think of this

MISE EN SCÈNE.

Act I. Store of advertising matter running low. Great lack of a new sensation. The summoning of the "cuckoos." Conference of the only just. Stage in sombre twilight—Götterdämmerung! The awful hero approaches in all the panoply of war, rough-riding the yieldless shards. Stage sinks into the blackness of darkness. Thunder in the distance. Flashes of oncoming lightning. Away off somewhere a horn blows.

Act II. Stage brightens. Scent of dishonesty thought to be found, while angels weep in the flies. Cornet prelude. Rising animation. Rose-colored calcium. Hope.

Act III. Combat deepens. The brave rush on. Dishonesty seen in headlong flight for the tall timber. Hounds in full cry. Rough Riders trampling the grass everywhere. Stage in white-light illumination. Trombone chorus. Great expectations.

Act IV. Battle rages. Victory perches, and unperches and reperches. Dishonesty brought

to bay just this side of the tall timber. Delight of the hounds. Transports of the Rough Riders. Angels in flies laugh outright. Grand pell-mell scrimmage. Great victory of The-Thousand-to-One-Rough-Riding-Brigade. Dishonesty given the *coup de grâce*, and Teddy the brush. Orchestra thunders.

Act V. Grand looking-glass scene. Rough Riders all admire themselves. More clouds and darkness. Thunder rolls. Lightning forks through the foreground. More awful majesty of hero. Foodle-foodle of all the bass horns. A million bass drums boom, boom, bum in earth-quaking unison. Tom-toms crash. Cornets spit crackling fire. Majesty of law vindicated. Dazzling triumph. Grand illumination in blood red. Ready Teddy ready for another stumping tour. The cuckoo chorus diminuendo to curtain.

BEFORE THE CURTAIN.

THE POET: The glimmer, the glint and the gleam. The twinkle and crinkle. The shimmer and shiver and shine. The glow and the glare and the glory. The red-fire, the white-fire, the blue-fire. The red and the white and the blue. The bing, the bang and the boom ! ! ! ! ! ! ! ! ! !

THE PEEPUL: Oh! Oh!! Oh!! O-o-o-o-o-o-o-o
! ! ! ! ! ! ! ! ! ! ! ! ! ! ! !

O Prince of Advertisers, with thy royal flush, take the pot! Thou scoopest the deck! Compared with thy shining talent, that of him who paints "SAPOLIO" on Niagara's rainbow, or on the face of the silver moon will be but a fire-fly's glow in the sun's full noonday glare!

For putting the matter this way, we may be

called by a shorter and uglier word. But, nevertheless, this is the way it seems to us.

But he did a lot of good, didn't he? What good, your Honors? What good did he really try to do except for himself?

He had a keen conscience, had he not? Ah, your Honors, conscience often gilds golden the blackest infamy. The burglar has conscience—to do his job thoroughly, to take the last coin from the till; the last spoon from the side-board. Conscience, subordinate to self-glory and combativeness, is a hulking hypocrite.

He was humane, was he not? Not so you would notice it; not humane enough to keep his hunt from Louisiana swamps and his dogs from the dooryards of his four-footed fellow mortals; not humane enough to spare the aged and innocent Tyner; not humane enough to prevent the damning on thin suspicion of a whole battalion of blacks; not humane enough not to jump on the offenseless and defenseless Jehu; not humane enough to hold his ruthless hands from private citizen Long; not humane enough not to use his power to dismiss steamboat inspectors to injure and disgrace a Nicholls, whose innocence was protested by thirty eye-witnesses and whose only accuser was the President; not humane enough to leave undone a single act which might swell his own glory from the leveling of his magazine rifle at the hides of Louisiana bears to the leveling of a German Agreement at the hearts and homes of hundreds of thousands of his fellow citizens. Humane, your Honors! Why, many a savage sachem is just as humane. The Emperor of Abyssinia is just as much so. Mr. Roosevelt spares neither man nor beast in his lust and riot for sensational satisfaction, whether it be urged by his bat-

tle-brain-cells or those which push a man towards vain-glory. He mows down like grass men who stand in his way. The industries of the nation have no warrant for living against his desire to be tickled by the German Emperor. To sate his love of praise, and without a qualm of conscience or of sympathy, he crashes into the industrial structures which sustain the life of the people. He runs amuck with swinging bludgeon among the crowd of moneyed men upon whose shoulders our financial and industrial welfare rest, yelling with each murderous blow, "Malefactors of great wealth! Very rich wrong-doers!" while values melt by the hundreds of millions like ice in a July sun and hundreds of thousands of small investors are despoiled of their all. He breathes from his fire-belching nostrils slaughter and threatenings of slaughter against all property rights, and rends the foundations of the nation's whole business life. And all in the name of righteousness! Ay, your Honors, in the name of righteousness he scatters withering havoc like a pestilential blast and sounds the loud summons of his Rough-Riding clans to the devotion of a holy war. All in the name of righteousness, your Honors! And is he righteous; and is his war a holy war? He is as righteous as any other fanatic, your Honors, who maketh his meat by righteousness; and his war is as holy as any other war waged to assemble a fanatical following. His war is at least as holy as those of the whirling dervishes and Mad Mullahs of the Orient—just so holy and no holier is the righteousness and the war of this whirling dervish, this Mad Mullah of the Occident.

Oh, idol of the people, clay-wrought by the very mob which doth thee reverence! Oh, king of

masqueraders! Usthinks that oft behind thy mask, with the inextinguishable laughter of the demi-gods, thou chortlest softly to thyself, "Ah, indeed and indeed, what fools these mortals be!"

[At this point in counsel's argument a group of cuckoos and Roosevelt Congressmen, perched on the back benches, hissed, groaned, and cried "What rot!" The Presiding Judge directed the court officer to arrest the "wrong-doers," but counsel for defendant intervened in their behalf.]

DEFENDANT'S COUNSEL: We trust, your Honors, that you will be lenient with these disturbers. They had to do it. The "cuckoos" would have fluttered from their White House perch with worse than broken wings; and the Congressmen who hold their official leases from Mr. Roosevelt would have been dispossessed, had they not gone on record here as disapproving criticism of Mr. Roosevelt, profanely connecting him with these wily plaintiffs. But, your Honors, we think they will be good now, if they remain. Having saved their respective records and necks, they will have no further occasion for disorder.

THE PRESIDING JUDGE: On the statement of counsel, the offenders may remain without arrest. But the disorder must not be repeated. Counsel will please proceed.

DEFENDANT'S COUNSEL (Resuming): Your Honors, what "malefactor of great wealth" could do greater wrong to his country than has been done and is yet being done by Mr. Roosevelt? With his special appointees doing his will in pointing to the profits of great corporations as evidence of crime; with all this systematic persecution of those who

have acquired property, because of its being acquired, not by robbery, your Honor, but in the ways which have always been and still are counted as the usual and honorable ways of acquiring property and which are never questioned when employed by men who have not come under Mr. Roosevelt's condemnation or who are so fortunate as to be considered by him as "malefactors of little wealth;" with his ready appeal to the public against "a conspiracy of rich men;" and his unceasing stigma upon property as the mark and sign of depravity; with all this and with the constant clatter of weak minds in the newspaper world, denouncing as "robbery" all large profits no matter how honestly or in what orderly way acquired, what is to become of property rights in this country, and how is a body to know when he will be lauded as a "poor man" or pinched as a "malefactor of great wealth?" Is there any ear-mark, your Honors, by which property may be known as "legitimate" or "illegitimate" and in the one case retained for one's own use and in the other abandoned to some politician's campaign fund? Have all our rules of conduct been changed, your Honors, and by the application of the Roosevelt rule are we all now but a den of thieves?

Are we to suffer domiciliary visitation by the tithing man of any political party that happens to be at the head of things? Must we make humble confession of all our doings in business, to let our blackmailing tormentor judge whether or not our profits have been "legitimate?" Are we to be mulcted in our property whenever the Chief Magistrate has need of a little more public furor in order to carry him into a second term of office? Are we to be the goods and chattels of greatness in the White House? Oh, your Honors, it really seems

so, when judges can be appointed for the express purpose of finding us guilty any way; of refusing all testimony showing that we were ignorant of the facts alleged as our crime and that we did not know we were offending and had no intention of doing so; of shutting our mouths when we protest that we were only shipping goods at the same rate at which we had shipped them over three competing roads for more than a decade; of refusing our proof that we had only been guilty of taking a railroad's word for the fact of the legality of its rate; and, to crown all, of sending for all our books and figuring out our profits for a dozen years to determine whether we were of the size to be called guilty and if guilty of what size should be our punishment! Oh, your Honors, have these wily plaintiffs, our century-old parasites, who suck our blood and do nothing else but suck our blood, been so powerful at Washington that they thus have the power of life and death over us all! Is American Production to be thus doomed and damned in behalf of these wily plaintiffs? And is this the land of refuge of the Puritans and the Pilgrims? Is this the place to which we fled from injustice, from domiciliary visitations, from martyrdom for opinion's sake, the whipping-post, the pillory, the rack, the boiling oil, the gibbet and the stake! Is this the land of the free and the home of the brave! To this complexion has it come at last! Oh, Manes of Magna Charta! Oh, shades of the Declaration of Independence! Oh, shape of the American Constitution! How hath your one-time mighty fallen!

XXXI

THESE WILY PLAINTIFFS SHOULD BE CONSTITUTIONALLY RESTRAINED FROM FURTHER PREYING UPON THE BUSINESS OF THE AMERICAN PEOPLE.

Your Honors, it has hitherto been a haphazard life our people have been living. Studiously have these wily plaintiffs, through their great bureaus of information, our colleges, our editorial rooms, and our large publishing houses, cultivated among us the doctrine of *laissez faire*, or "every man for himself and God help the hindmost." These sources of authority have waved off with grimaces of pain every suggestion that the profane hand of science should be laid upon our economic affairs and from the slipshod chaos of our ideas should roll into definite form a plan whereby our national progress in the direction of universal happiness should be made as permanent and unreversible as the path of the sun in the sky. And in order to beat us in detail and make us forever the Arcadian dolts of their deceptions, sheep to be sheared, cows to be milked, geese to be plucked and turkies to be bled for their profit, these wily plaintiffs, the Importing Trust and the Exporting Trust, knowing that a house divided against itself cannot stand, have studiously tried to divide us; and have poured our ears full of economic superstitions exhaling such wraiths and bugaboos that our chief sensation has been that of terror of each other, as if some of us were rich, and others poor, some capitalists and others laborers, some producers and others consumers, some "the Government" and the

rest "the common people;" with each class's interests antagonistic to those of each of the other classes.

On the contrary, your Honors, we know as we have before agreed, that in the sense that any given person can belong to but one of the classes named and to that irrevocably, there are no classes whatever in this country; and that nobody is rich or poor by comparing his wealth with that of others, but only by comparing what he really has with what he really needs. We know that all of us active, business people are laborers, whether we labor in producing property or wages, or whether we labor in the transportation, distribution, and preservation of property; that, in varying proportions, we all are capitalists, in muscle, mind, and money, and we know, your Honors, that we prosper and are greatest and best in the direct ratio in which our wants are supplied by American Production; that in fact our progress and civilization are American Production and wax and wane with that Production. For we know that in order that we may honestly acquire a mass of goods which will evenly fill our whole increasing measure of wants, we must have distributed to us a volume of employment exactly equal to our volume of wants; for it is our employment which earns the supplies which meet our necessities; and we know that the more of this mass of supplies we produce ourselves, the less we shall be compelled to beg, borrow, or steal; and the less of it we produce ourselves, the more we shall be compelled to beg, borrow or steal; and that when, at last, we become sufficiently civilized to make the volume of our employment exactly equal to the volume of production required to supply our needs, we shall have

become sufficiently civilized never to beg, borrow, or steal a cent's worth from anybody.

And by a short examination, we have learned that the only condition upon which American Production can live is one that will relieve capital employed in this country from the dilemma wherein it must either be dissipated among the cheap nations of the earth, or must itself take time by the forelock and leave for some land where the index-figure of cost is lower than ours; and we have drafted a law showing under what conditions capital must thus migrate or thus be dispersed to the strong boxes of competing producers. By a quick glance about us, we have learned that ours is a cost-100 country and that the world outside is a cost-20 country; and have realized that unless we lay a firm hand upon our own affairs, we shall be, to the end of time, the easy victim of these wily plaintiffs and that by the exposure of our cost-100 market to a cost-20 world, our wealth will be snatched away as often as we are weak enough to agree to such exposure by "tariff revision." Now, your Honors, why should not we act the part of rational beings? Why should not we, the real business men of America, the only ones whose interests are identical with those of the whole country, we, the wage-producers, the property-producers, and the adjunct-producers, forming but a single harmonious army under the banner of American Production, fighting the battles of American Progress and American Civilization against a common enemy which ambushes us at every point, the enemy which cuts off our lagging columns, makes us captive and frequently sells us into the bondage of idleness and poverty—why should not we lay down a definite course to be pur-

sued for our own protection? Why should we, with a perfect knowledge of what ails us, and with the power to cast out the ailment, continue, like the lower animals, to suffer century after century, without hope of betterment?

It seems to us, your Honors, that our course is very plain. And we therefore move this Court for a perpetual injunction against these wily plaintiffs, constituting as they do the only "malefactors of great wealth" which our country has to fear; these devastators of our firesides, these slave-dealers of the twentieth century, and of all the centuries, your Honors, these allies against our national and individual lives; these parasites, for whom we have so long been the unhappy entertaining host and who have consolidated into the wickedest trust in the world their common interest in our despoiling.

And, your Honors, in order that this injunction may endure against all appeal by these wily plaintiffs; in order that the coming generation, misled by ignorance of the wrongs inflicted upon us by these wily plaintiffs, in its inexperience, its want of memory, and its un-suspicion, may not be a victim of these wily plaintiffs, like as we have been, we move that a period for thought, for wide-extended debate and investigation be placed between our innocent posterity and the machinations of the wickedest trust in the world. And the method which we shall propose of compelling a long halt between the first impulsive thrill of our after-comers towards a yielding to the seductive whispering of the greatest liar, thief and murderer that ever damned the earth, and the conversion of our beloved country into a feeble fly to be eaten by this horrid spider, the wickedest trust in the world,

is that of a constitutional amendment, making it the duty of Congress, by stage placed upon stage, to build our tariff-dike to the very skies, as the producing world outside ripens and becomes more and more skillful, in all its length and breadth, and brings more and more to bear upon production those mighty economies which the prodigal sun of the tropics places within the reach of growing intelligence; but an amendment which cuts off from Congress forever, except by unanimous vote, the power to take from the dike a single brick once laid there, while it gives the President a veto power for every measure that might neutralize the effect of the dike, and deprives him of veto power for any measure which might further protect American Production; and gives to Congress power to levy duties on our exports, and to each State and every section of the country of a certain size the power to constitute itself a zone of production, whose products may not go out to other places, and into which products from other places may not come except upon the payment of a certain tax.

And, your Honors, our amendment should cut off from our country all the tropical territory heretofore acquired or controlled by it, and prohibit the annexation to it of any other territory whatever not a part of the United States prior to the annexation of Porto Rico.

Our amendment should also make German Agreements treasonable; strip from the President the power of appointment to any public office whatever except to the cabinet, lodging the same in an appropriate Commission; make it impeachable for the President to summon legislators to him for private conference during the sessions of Congress

or to use any influence whatever over Congressmen or Senators; and lodge with the Supreme Court the duty and the power to take cognizance of any complaint against the President for any such conference or such influence; to hear the evidence adduced in support of such complaint and enter its decree thereon and through the proper officers enforce the same.

It should also enjoin the President, during his term of office, from public speechifying and communications to the public prints, except his annual message to Congress; and limit his communications to Congress to such annual message and such special messages thereafter as might be necessary to explain the transmittal thereto of documents of public interest. We should thus, your Honors, try and put an end to all buttonholing, bullyragging, and intimidation on the part of a too strenuous Executive.

But, your Honors, we would not imitate this wickedest trust in the world, the only real malefactor of great wealth among us, and do aught suddenly to destroy values and embarrass cruelly even this wickedest trust in the world; for this would be but to follow the reckless and ruthless example of this wickedest trust in the world, which by a whirlwind campaign against American Production as to the "trusts," "extorting" and "exact-ing" from people at home higher prices than they get abroad, destroys American Production upon a single election day and in an hour sets hundreds of thousands of our people moving towards untimely graves. No, your Honors, all measures for the destruction of this wickedest trust in the world should be taken decently and in order. Export tariffs should gradually cut off entirely the

wasting abroad of our substance in "raw materials," whether in provisions, in grains, in fibres, in ores, or other products; and, as gradually, and *pari passu*, cut off entirely exports of all manufactured products; while an import tariff, gradually increasing, should finally cut off all imports of whatever nature. Then at last, would our people come by their own; then would our temptation to steal be wholly taken away, and for every want we had there would be given us an opportunity to earn the price of its satisfaction with the labor of our hands in the sweat of our faces and at wages so high that our reward would be far greater than the reward of stealing. And then the time would have arrived, when, as we said some time ago, a certificate of American citizenship would be a ticket of admission which would pass the bearer by St. Peter at the gate without the slightest cross-examination.

Here, your Honors, at the close of our argument, we repeat what we began with, that sane people do not do cruel things for the love of being cruel. Even these wily plaintiffs are not moved in their respective orbits by malice. They are looking for pleasure and running away from pain—just as we all are trying to do. But unhappily they and their connections in all countries and at all times can live and flourish only by the despoiling of those with whom they deal. Every country, for instance, has its Importing Trust, that only can thrive by selling the jobs of wage-producers there to speculators in other countries; and its Exporting Trust whose welfare depends upon the exhaustion of the natural stores of the country in which it operates and selling them at low competitive prices in other countries. The Importing Trust

robs workers of wages and stifles life; and the Exporting Trust robs workers of natural stores which would make life easier to bear. Let both the Importing Trust and the Exporting Trust prey upon a country at the same time, and for the wage-producer you have let loose what General Sherman said war was. The Importing Trust makes wages fall and the Exporting Trust makes prices rise. The Importing Trust makes work scarce and dear; and the Exporting Trust makes necessities scarce and dear. The one deprives us of work; the other of goods. As the chances to earn money get fewer and fewer, and a man must give more and more of himself in exchange for them, the store of goods gets smaller and smaller and a man gets less and less of them for the money he earns. It is double destruction your Honors, for the candle of your life is burning away at both ends. You give more and more of your blood and muscle, nerve and brain, to get hold of a dollar, and more and more of your dollars to get back what will restore your blood and muscle, nerve and brain. The Importing Trust leaves you with less and less of life; and the Exporting Trust makes you give up, in trying to save the remnant, still more of the little life that is left you.

You can never come by your own until you keep out the foreign supply and keep in your own. But if you dam out foreign supply, you down the Importing Trust; and if you dam in American supply, you down the Exporting Trust. But both of these trusts, these wily plaintiffs, must be downed, if we, the wage-producers and business men of this country, are to be less than the slaves of the wily plaintiffs; for both of these trusts make their profits from selling our civili-

zation, and by putting us more and more at their mercy and making our lives and our forward march secondary to their commissions. The evil of foreign commerce is becoming greater and greater with the passing months. What does the great Lusitania mean, your Honors? What do all these great ocean steamships mean, your Honors? What means the declaration that more Lusitanias, or boats even greater than she, are soon to be built, your Honors? Merely that the wage-producers of this country are to be put up at auction more and more; that their jobs are to be taken from them more and more, and more and more of those jobs sold to people abroad who will bid more blood and muscle, nerve and brain, for the same number of dollars that the wage-producer here now receives. It means that, while he is giving more and more of his body and brain to earn a dollar, he is going to get less and less goods for his dollar. It means that both of these wily plaintiffs are going to let out another reef in their pirate sails in order to overtake and pillage more quickly the great ship American Prosperity.

This is what the English Importing and Exporting Trusts are now doing by English wage-workers, your Honors. For the counterparts of these wily plaintiffs in England, your Honors, own and run that unhappy country. Wage-producers there are slaves of the English Importing and Exporting Trusts, who are the English Government, the English nobility and landed gentry. The British Islands are all whittled down to the fine point of commercial profit for their grandees and wealthy trading classes; while the British wage-producing people are bartered like cattle for the gain of their commercialists. All skies are darkened with the

smoke of British ships carrying away the products of those unhappy islands, made by the bloody sweat of their workers, made by coining the bodies and souls of English artisans, made by the sapping of the vitals and the sucking away of the energies of a once great nation, to pawn in foreign shops for the, wherewithal to continue British nabobs in their lives of wasteful pleasure; and with the smoke of those same ships, bearing back to England the goods which destroy employment and the manhood of British workmen by the tens of thousands. To continue this process of appalling waste, the English navy must be maintained to protect her foreign trade, at an annual cost alone which "staggeres humanity." And just this, your Honors, is what these wily plaintiffs will bring us Americans to if we don't watch out. Ah, your Honors all international trade is but ancient piracy in modern clothes. But, your Honors, still with malice towards none but charity for all, we say, this thing. These wily plaintiffs, you, and we, and all of us, are merely phenomena of nature; we are all the outcome of environment, of sheer necessity. Even our own property-producers are the offspring of adamant circumstance. They are with us because the soil for their growth here is kind. They will not leave us if we fertilize the soil with conditions that make for profit to discreet and intelligent management. If we destroy our tariff-dike, or even "revise" it at all downward, we will lower wages and raise prices. But if we raise it higher and higher, we shall raise wages and lower prices—in the long run. If wages fall, it will be because our wage-producers are out of work and so of money and so of power to patronize our property-producers; and all this will be for the

reason that our property-producers cannot employ our wage-producers because foreign imports are taking away their domestic market; and when this happens, our property-producers too, must show the same servility to circumstance which rules us all; they must go away from us, in accordance with our law, and seek the area of cheapest production for this market; and that never can be here.

But, your Honors, to make here an environment wholesome for the property-producer, upon whose activities we all depend, lies with our property-producers themselves, with our wage-producers and our adjunct-producers; with the business men of this country, the farmers, the merchants and manufacturers, the builders of railroads, bridges, and houses, and those who furnish and fit them for our wage-producers. For our property-producers, our wage-producers and our adjunct producers, who are the merchants who sell our wage-producers their necessities of life, and all the great railroads and steamship and other lines that take care of the carrying and delivering to our wage-producers of the goods of our farmers, manufacturers, and merchants, are in an overwhelming majority; and they are not only numerous enough to ordain here by transient congressional enactments, an environment in which property-production must flourish; but numerous enough to make the whole country's business stable *in perpetuo* by the constitutional amendments which we have heretofore hinted at. They only need to take hold all together, and the country will be saved from further spoliation by these wily plaintiffs.

And our President also, he who has wrought so masterfully to further these wily plaintiffs in their

dire purposes against the savings fund of this country, is like the rest of us, a creature of environment. He does as he must, pushed on by his brain-cells over which he has no control. His conscience brain-cells are large and promising, but still so subordinate to the brain-cells that preside over fighting and vain-glory that he thinks what he does for his own glory is done from a high sense of duty! Oh, your Honors, "Wad some power the giftie gie us to see oursels as ithers see us!" But with the proper change of environment, there is hope for the President also. And let us all hope and reverently pray that the American people may see their way clear to furnish that change!

Finally, your Honors, the gradual snuffing out of these wily plaintiffs, composing this "trust" whose tentacles, octopus-like, hold in their withering and wizzening grasp the production of the world, would merge the great question of business stability, the great question of the equitable distribution of wealth, the relation of capital and labor, and the great issue of socialism into one and would solve all these riddles at once. For with the American demand religiously confined to the American supply; and the American supply as religiously confined to the American demand, business would be as eternally stable as the recurring daily needs of all our people; work would be as abundant as the flood of our wants requiring work to satisfy them; and by the rising of wages through the competition of property-producers for the wage-producer, on the one hand; and the falling of prices through the competition of property-producers for our market, on the other hand, the whole product of the wage-producers would be more and more widely and equitably distributed, without ham-

stringing initiative and ambition by an arbitrary sharing of the rewards of labor.

Yes, your Honors, all things come to him who works for fair wages. Our gospel is that found in the Holy Scripture of Work. The Gospel of Work is more holy than that preached by any evangel from the dark land of superstition; for it is only in the soil prepared by abundant and well-paid Work that Morality, Education, and true Religion can grow to their highest estate.

And if your Honors but grant to your petitioner, the defendant in this action, all the matters and things enumerated and described herein, your petitioner will ever pray.

Gentle Reader, we are not a "conspiracy of rich men," and we have not back of us, to beat "my policies," a five-million-dollar corruption fund. We are only a humble citizen feeling many things and saying but very few. For aught we know, we are an *undesirable* citizen.

It seems to us that matters are a good deal mixed up in the way we are doing things and letting things and politicians do us. We ought to stroke the fur the right way in this world; and we ought to stroke a man in the direction of his brain-cells. We ought never to expect a man to do the right thing except we stroke his brain-cells in the right direction. If we do we shall spoil his fur and he will spoil ours.

Now, gentle reader, it is wrong to worship our own brain-cells any more than we worship the brain-cells of others. For we are all just budgets of brain-cells over which we have absolutely no control. They will beat us every time and the biggest bunch will always be on top. But other people can mold our brain-cells to fit new environments; and we can mold other people's brain-cells to fit new environments. Or, rather, just as Jacob did with the heifers, we can shrewdly cook up an environment that, in God's good time, will mold the brain-cells of others so that they will fit the new environment; and if we contrive that environment to suit us, the new arrangement of brain-cells will suit us, too,—and the heifers will be colored so that they will belong to us. Jacob only anticipated our philosophy by some thousands of years. He was the shrewd forefather of a shrewd and careful race of business men who will surely understand our philosophy, and, we think, help us to inculcate it.

To point the moral and adorn the tale, we ought to surround our public servants with environments that will move their brain-cells into harmony with our interests. Now, an environment that will make their honest brain-cells more powerful than their dishonest ones, is one which would surround them with such conditions that their prudent brain-cells would tell them they could not get away with the goods even if they tried.

This is plain common sense, as it seems to us. But what have we been doing in this country for a hundred years? Why, in spite of the fact that Congress has no constitutional power to jeopardize the life of an American citizen, except so far

as to make him bear arms in the country's defense or the enforcement of its laws, nevertheless our Congressmen, and the President, have absolute power in times of peace, in return for any bribe to their ambitions or to their purses, to take the lives of whole groups of American citizens. For they have the power to make laws which will mow down the sources of employment and so the lives of millions of our citizens at once, in order to make way here in our market for foreign goods, the manufacturers of which, as represented by the great Importing Trust in this country, may, by some means, have prevailed upon Congress and the President to abolish discrimination in favor of American Production and allow a cost-20 world to invade our cost-100 country with its goods. To do this is and always has been just as surely to destroy the lives of countless Americans as if there had been passed a national law which marched forth a million or so of our wage-producers to face a wall and have their backs bored with bullets from the muskets of firing files from a fort. It matters not that this result has been brought about by laws ostensibly made to regulate customs duties. The efficient cause of such legislation was the purpose to destroy American employment; and the destruction of employment is the destruction of life; and reasoning beings are chargeable with intending to do exactly what their acts are the inevitable cause of. This domestic market of ours is our most valuable treasure. It is more sought after by foreign lobbies in Washington than gold mines are sought after by the rest of us. And yet we place this treasure, all uncounted, at the disposal of our law-makers in Washington as freely as

if it were a bubbling spring on the Capitol grounds. The Constitution prohibits Congress from depriving anybody of "life, liberty, or property without due process of law" and from taking private property * * * * for public use without just compensation." And yet we let Congress do both of these things by merely whipping the devil around the stump of tariff legislation.

But this is not all. Not only have we placed in the hands of Congress and the President absolute power over the greatest treasure on earth, but, by an inadvertence in our Constitution, we have placed in the hands of the President alone power, under certain circumstances, to efface Congress as a deliberative body and use it as a means of passing any law which carries grist to his mill. We have done this by giving him power, through his agents and emissaries, to go into any congressional district and control the local political machine of an "insurgent" Congressman's party and destroy his political life for getting in the way of the President's private schemes.

We have seen Mr. Roosevelt make use of this power to effect the Cuban Treaty, and to pass the Hepburn law, which latter was simply for the purpose of burning incense to the idol in the White House; since, because of the Elkins Law, the Hepburn-Roosevelt law was wholly superfluous from the start and known to be so by the President's advisers; and in addition to these two iniquities, this same power will probably be used to get congressional approval of the infamous German Agreement, and very likely to pass a measure for free trade with the Philippine Islands. Three of these measures strike at the bread and butter of the country; for they are calculated to cut off employment of

labor here at home, arrest property-production and, both as to scope and period, depress business indefinitely.

It is very plain that, to make Congress and the President worthy custodians of the employment, and so the lives, of all the people of these United States, their brain-cells should be environed by a constitutional amendment making lawful any discrimination, by tariffs or otherwise, in favor of American employment, and unlawful the withdrawal of any part of such discrimination once effected; and the power to make any treaty impairing that discrimination in any way should be taken away from the Senate.

It is unfair to Congress and the President thus to leave at their mercy an uncounted and uninventoried treasure as great as our domestic employment, a treasure, the marketable value of which, in hard dollars and cents, is too tremendous for calculation. To carve it up in large or small slices and sell it abroad in exchange for one consideration or another, is a temptation greater than our servants should be called upon to withstand. That our employment has thus been carved up and sold in the past is evidenced by the thousand successes our Importing Trust has scored in pilfering our employment for its intelligence office abroad. Just now it is bribing our newspapers to help it take away the employment of the wage-producers in our paper mills.

We ordinary mortals, with half an eye, may see the perils of this situation. The condition of our Constitution in this respect, giving, as it does, power to our national law-makers to sell to the Importing Trust, either for cash or some other con-

sideration, any portion of our employment or domestic market they choose, puts a premium on bribery and corruption and makes treason to our national interests in this regard unpunishable. In the matter of faithlessness to our employment, neither of our leading political parties has an unpurchasable scruple. The Republican machine is no better in that regard than the Democratic, a fact which has been proved by more than one betrayal. For instance, the ink was hardly dry on the Republican Party's platform pledge to our sugar-growers, before the Republicans ratified the Cuban Treaty, which was a ruthless abandonment of all the sugar-growing interests of this country to tropical competition.* And there seems little doubt that, under the heel of the insistent Roosevelt, the same chameleon party will follow up its Cuban treachery by free trade with the Philippine Islands, which, combined with Cuban, Porto Rican and Hawaiian competition, would, in ten years, absolutely destroy the last sugar mill and sugar and rice plantation in the United States.

Now, gentle reader, you may be assured that there is a vulgar *quid pro quo*, in cash or votes, for every lapse of tariff virtue on the part of the G. O. P., just as much as there is for lapses by the Democratic Party from its cardinal principles. No political party is ever better than it is com-

* "In 1907 nine months * * * we imported * * * of cane sugar 4,733,000,000 * * * pounds * * * an increase [over the corresponding nine months of 1906] of 600,000,000 pounds." *N. Y. Sun*, Thursday Nov. 21. 1907.

If the Cuban Treaty and free trade with Hawaii and Porto Rico had not dampened the ardor of our sugar producers, at least this additional 600,000,000 pounds of sugar would have been produced in the United States by this date. *Ed.*

pelled to be. The only way to make and keep it good is to hedge its brain-cells all round about with an environment that will put it in the penitentiary if it does not tote fair; and the way to make our employment safe against Congress and the President, is to fence it in and put up signs, "The President and Congress will please keep off of this lawn," and if they don't obey the sign, send the sheriff after them.

In tossing away our domestic employment for this or that consideration best known to himself, Mr. Roosevelt, in the way that anybody of mature mind should have expected, has met our Uncle-Rube-like trust in the way that Uncle Rubes usually are met. Unless some one calls a halt on him there seems no ground to believe that he will not take a step nearer pleasure and farther from pain by selling another section of our employment market to some other foreign War-Lord. Our employment market seems to be about his best asset for buying popularity of foreign potentates.

Now, we believe that we should nail the President and Congress by constitutional amendments to such an environment that they cannot monkey in any way with our employment market here at home, any more than they can take any other property of ours and sell it for their own benefit, "without due process of law;" or any more than they can march any of us up to certain execution at the musket's mouth, except in defense of law and order.

The next thing we should do should be to join in arranging such an environment here for us all that, when our respective brain-cells had so permuted and combined themselves as to make the

most or it, we should find that the very same things led us all towards pleasure and away from pain, at one and the same time, at least as far as employment, wages, and business were concerned. How would we do this? Why, simply by fixing it so all employment to meet American wants should be divided among wage-producers within the United States of America. But we should swear in wage-producers in some way so they could not imitate the Italians, Hungarians, Canadians, and others, who come here over summer, get all of our jobs they can, and then go back for the winter to their foreign homes and, in the shape of our cash, scatter our American employment all over their own countries instead of here. That is not the fair play which we believe in. The squareness of the deal is above our reach. The dealer to us all is our Maker—in whom we still trust nevertheless—and we cannot go behind those returns. But what we do believe in is *fair play* among those to whom Divine Providence has already dealt more or less favorable hands.

We would so fix it that every wage-producer who staved with us here through thick and thin, whether he was an immigrant of thirty days or of three centuries' standing,—for we are all immigrants in various stages of baking—had an equal right with every other like wage-producer to get all the employment he could in this American domestic market. We would calk up so tight every leak in our boat, however beaten upon by foreign seas, that we would have no foreign-trade bilge-water in our hold. It would be impossible to "cuss out" class legislation then. Every gander would have the same sauce as every goose. Nobody could taunt the protective tariff—protective in very truth—

with taking money out of the pocket of one citizen and putting it in the pocket of another. For the same dike would stand between all and the foreign deluge. We would all be standing on the same plateau, above foreign countries both in wages, prices, and level of life. And if any man failed to find a market, at the American price, for his own muscle, mind, or goods; in other words, if, in the higher wages or prices caused by the dike, he failed to get back his higher cost caused by the dike, it would be because he was too lazy to work in our industrial hive. If he preferred to be a drone, that would be his funeral. He should furnish the corpse and not we.

Why, gentle reader, the only way in which we can have here a sound industrial body (let's call it an "Industrium" for short, and to distinguish it from "Imperium") is to cut off foreign trade and convert our international peddlers into useful, honest, patriotic citizens. They are only wandering birds of prey now. They really have no abiding city. They peddle abroad a country's produce or its employment in any way they find most profitable until they have peddled it dry; and then they fling away the empty orange skin and find an orange somewhere else. But we should make them a part of us; make them peddle among our people at home our goods made at home; for they cannot live without peddling. It is born in them; and we hate the cruelty which would make them work for a living. We should draw their claws and make them nice purring little helpmates to us all.

We would utterly kill foreign trade by benevolent degrees. For our American Industrium is

like our bodies. We cannot jab it full of holes with foreign trade and have it healthy and happy any more than we can jab our bodies full of holes and be healthy and happy. And so we say, "Set these Importing and Exporting Trust peddlers at some other job than jabbing our Industrium full of holes." No matter how much they chatter and clatter about it or what kinds of money they arm their congressional lobbies with, we ought to cut them out.

Let us look at this Industrium business a moment, gentle reader.

Every civilized country has its Industrium in a greater or smaller degree of perfection. Suppose we merge all the Industria of foreign countries into one and call them the "Foreign Industrium," as compared with our own, which we will call the "Domestic Industrium." Now, in order to study closely their relations, let us build these two Industria right near each other and take a good look at them. Like this:

DOMESTIC INDUSTRIUM.

$$\left\{ \begin{array}{c} \text{Capital} \\ \& \\ \text{Labor} \end{array} \right\} = \left\{ \begin{array}{c} \text{Property-} \\ \text{Production.} \\ \text{Wage-} \\ \text{Production.} \end{array} \right\} = \left\{ \begin{array}{c} \text{Property-} \\ \text{Preservation.} \\ \text{Wage-} \\ \text{Production.} \end{array} \right\} =$$

$$\left\{ \begin{array}{c} \text{Transportation} \\ \text{Wage-} \\ \text{Production.} \end{array} \right\} = \left\{ \begin{array}{c} \text{Distribution. or} \\ \text{"Business."} \\ \text{Wage-} \\ \text{Production.} \end{array} \right\}$$

FOREIGN INDUSTRIUM.

(Same as preceding.)

To explain the terms used in these schemes:

Property-Production embraces manufacturing, mining, and farming.

Wage-Production is what the worker is doing. Wage-Production is the factor common to all these divisions of the "Industrium."

Property-Preservation takes in the work of all people engaged in things which directly or indirectly maintain property.

Transportation takes in every means of taking goods or people from one place to another.

Distribution is storing and delivering goods by whatever means.

Now you will observe that both in the Domestic and the Foreign Industrium, Capital and Labor are the basis of it all. This is so everywhere. These two factors are the drivers of the whole tandem represented in our scheme. You cannot have active capital without having active labor; and active labor indicates active capital. Any condition which will keep capital flowing into Property-Production will keep this merry tandem in motion. But shrink your capital and you have shrunk every member of this procession.

The main thing, however, to which we wish to call your attention is the universality of Wage-Production and so of Wage-Producers throughout this scheme. The whole thing, in fact is wage-production; and every human being that works anywhere in this combination is a wage-producer, whether he is a ditch-digger, a trolley-driver, a

bank president, or the head of one of our horrid "trusts." And all wage-producers depend for their lives upon the comparative volume of the capital which flows into Property-Production, which is nothing more or less than the great job provided by the country's doing its own work. Make this job smaller, and you make proportionately smaller the volume of capital flowing into Property-Production, and so into Property-Preservation, so into Transportation, and so into Business, and all along the line you throw out of the ranks of wage-producers people who must faint and fail the moment their wage-production ceases.

Property-Production, animated by capital seeking investment, is the mainspring which moves every other division in our scheme; and the degree of its activity is directly proportioned to the percentage of the work for the country which is done by the country.

To be sure we get the idea, let us analyze each of these divisions a little, and see how each one of them contributes to "Business" by the maintenance of our great army of wage-producers, all of whom buy from "Business" their necessities and luxuries, paying therefor the wages they have produced in the various divisions of our "Industrium," which, after all, is the same as "Employment."

Starting with Property-Production, what are wage-producers doing here? Why, they are manufacturing property for use, not only in Property-Production but in Property-Preservation, Transportation, and Business itself; all of which property, as fast as made, is being delivered by Property-Production to Distribution, or "Business," in exchange for the very wages which Property-

Production has previously paid wage-producers, who have bought with them of "Business" stores which Property-Production had previously lodged with "Business."

In the division of Property-Preservation, again, the whole thing is run by wage-producers, who are taking care of property in various ways. In this division belong our army and navy, our police and constabulary, and our militia. Our doctors, lawyers and ministers also belong here, the doctors preserving lives and therefore preserving the preservers of property; the lawyers preserving property titles and property-rights; the ministers inculcating morals and making both life and property safer. And in this division, too, belong all the wage-producers in insurance companies. And all these wage-producers, too, carry their wages to "Business" to exchange for the work done by Property-Production.

In the division of Transportation, we have another great swarm of wage-producers, who also depend for their jobs entirely upon Property-Production, since their business is moving the output of Property-Production. A glance at the employment lists of our railroad, telegraph, express, and steamship companies, to say nothing of the great crowd of small proprietors of hacks, express-wagons, and messenger routes, would give some idea of how great a figure Transportation cuts in the country's employment and the host of wage-producers which it is daily sending to "Business" for supplies.

In the division of Distribution, commonly called "Business," the wage-production is also colossal. A count of the clerks, salesmen, foremen, buyers, packers, and the like, employed in a single great

department store would give a clear notion of the gigantic proportions of this wage-producing branch of our Industrium. There is this to be said further about this Division that it is the clearing house of Property-Production. It is where products are liquidated by the wages of our great Wage-Production, made up as it is from contributions from the millions of workers in the various divisions of our Industrium. As the whole country's active industrial life rests firmly upon Property-Production, so Property-Production depends upon "Business" to make its product fluid and, by the purchase of its product, to return to it the capital without which it could not proceed. Any breaking of the return current of capital from "Business" to Property-Production, strangles Property-Production which strangles wage-production, which strangles "Business" in the large national sense, which strangles people to physical death.

Now, we, a wage-100 country, therefore a cost-100 country, and therefore a life-100 country, are surrounded on all sides by a world in which wages average 20, costs average 20, and life averages 20. And here is the great opportunity for the international peddler, the destroyer of national life. Naturally enough, he wants to put the difference between our cost-100 and the foreign cost-20 in his pocket, or as much of it as he can get, say a commission of about 78 points. He puts up a considerable money to do it, either in maintaining a bureau of education, to touch people's hearts with the sufferings of the poor Cubans or the little brown men; or in maintaining a straight lobby to snare in the President and Congress. Suppose he succeeds and gets a Cuban Treaty, German Agreement, a French Reciprocity Arrangement, or an

out and out "revision"— what then? Well, here is where the Foreign Industrium comes in. Our peddler is the direct agent and commission representative of the entire Foreign Industrium. Therefore, right alongside of our Domestic Industrium, he sets up his branch office representing the Foreign Industrium, in the form of a booth crammed with goods "Made in Germany," "Made in France," and so on, and baits his trap with advertisements cutting under American cost-100 by, say, a couple of points. Now like shortsighted children of nature our wage-producers come along and see these attractions in price and immediately proceed to feather the arrows which a little later drink their own heart's blood; for they fall into the international peddler's trap and buy goods the price of which does not go back to our own Industrium division, Property-Production, but scoots off across the water and swells the Property-Production of the Foreign Industrium; and just exactly in the measure that our wage-producers patronize the international peddler, does the stream of our capital returning to Property-Production diminish, and so diminish the stream flowing through Property-Preservation, Transportation, and American Business. The moment this stream begins to slacken, wage-producers begin to be laid off all the way from Property-Production, through the entire tandem of our Industrium to and including "Business;" and hard times are beginning, just as they are now because of the German Agreement, the Cuban Treaty, free trade with Porto Rico and Hawaii and the general slackness and deviltry in our customs service, aided and abetted by the Roosevelt Administration in discharging Mr. Wakeman and exiling other customs officials who were faith-

ful to their stewardship of the great American Tariff anti-Deluge Dike. And just as our Industrium waxes weak and weary by the operations of our international peddler and our German Agreements, the Foreign Industrium becomes inflated with rich red blood, and, beginning with Great Britian and going east to the eastern shores of Japan, you hear across the water the increasing whirr and clatter, rattle and hum of the shops and factories abroad. And now the world chucks us under the chin and says we are such fine fellows, just as the German War-Lord did Dr. Nicholas Murray Butler, of Columbia College, who came home so warmed with the cordiality of royalty that, in order that this cup of cordiality might remain forever full, he wanted the tariff-dike tumbled down some more right away.

After this sort of thing goes on a while, we begin to sicken from "over-production"—in foreign Industria. Millions of our wage-producers are out of employment, and hard times of the hardest-boiled kind engulf the country. The strong weaken and the weakened die all around us, just from the tightening of the grip of this international peddler on our industrial throats; and we are broken out all over with the small-pox of over-production; that is, with the monopoly by the Foreign Industrium, employing foreign labor, of the territory naturally belonging to the Domestic Industrium employing domestic labor. But it is a good ways to the next congressional election; and still farther, perhaps, to the next presidential election, when, may be, the people will be wide awake enough to the source of their trouble to displace a complacent Roosevelt, a rollicking Taft, or a German-Agreement-making Root. And so the country wal-

lows on in the deep mire of misery year after year. Panic after panic sweeps the country, as it sinks deeper and deeper in the poverty puddle. Not weak little, so-called "Roosevelt" panics, caused by currency-hoarders, but real deep-down ague spasms caused by the chill of dissolution creeping closer and closer to the patient's heart.

The cost to the country of supplanting its own Industrium by the Foreign Industrium in this way is too great for calculation; because it is paid not only in almost uncountable money-heaps but also in the lives of whole armies of our people; in the degradation of yet greater armies; and in the curtailment of vitality of the entire national life.

And yet we have experienced this many times and shall experience it in the future just as often as the campaign of the Importing Trust, with its studied slanders and libels against our "trusts," American Production, our "Malefactors of Great Wealth," and our "Very Rich Men," infuriates our wage-producers to the point where they smash the porridge pot from which they are feeding.

The trouble at this present writing is that we have been so flippant in our choice of a President, so much given to hero-worship rather than the worship of cold common sense, that we find on our hands a President who, whether he has intended it or not, has played right into the hands of our international peddlers, and, in addition to his Cuban Treaties and foreignizing of our custom house, to say nothing of his German Agreements, has joined the regulation hue and cry of our Importing Trust against American Production and has done his very best to make it more perilous to do American business than to scale the Wetterhorn.

Now, gentle reader, don't you agree with us that we should all join in building in this country an environment too strenuous for the brain-cells of the Importing Trust to flourish in? Or, at any rate, one in which all its members may be turned to good account in adding to the red-blood corpuscles of our Domestic Industrium? We think there should not be two opinions about this.

Now, gentle reader, in making the nation do all its own work and itself taking the pay therefor, and honestly paying its own workers, there is a panacea for national ailments, if it is diligently used. We all need the money; for unfortunately we have to eat, drink, wear clothes, and sleep and, in this climate, sleep under cover. This is the medicine that poor little Porto Rico needs; and so does Cuba; and so do the Philippine Islands. No other dose goes to the spot. Why, you know they said that if we would only give poor little Porto Rico our domestic market, she would blossom as the rose. She got our market; and to pay for it, in some things we are getting it in the neck. But even at that cost to us, it did not help poor little Porto Rico. She did not blossom as the rose. She is hollering all the time that she is dying of something on her inside. But, if Congress would only build a coffer-dam around about that poor little island, a good high tariff-dam, and then pump out all the water of foreign competition, so Porto Ricans could get their breath and build their industries, being sure at least of their own market in which to sell things, she would begin to be happy over a single one of her lovely tropical nights. She would begin in a humble way, to be sure; but in as large a way as she would be entitled to, a way just as large as the market furnished by her

own people for her own products. That is all any of us are entitled to. But Porto Rico certainly is entitled to that; and we are a mean lot of petty robbers to keep taking it from her by forcing her to free trade with us, which to the enslavement of her common people, merely gives a handful of coffee and sugar planters a chance to exploit her eternally, just as England exploits Ireland, India and Egypt, and would, if she dared, Canada, Australia, and the ancient Boer Republic.

To return to our own case, the first thing to be done is to control these international peddlers who constitute the Importing and Exporting Trusts; and the way to do that is to control Congress. And, with a little organization and determination, that is "dead easy." Our wage-producers, property-producers, and distributors, or "business" men, should form a league in each congressional district, the motto of which should be, "This country must do every cent's worth of its own work and pay its own people the wages therefor;" and the practice of which should be the indorsement of the congressional candidate of any party that would work for the league in Congress.

If no candidate for Congress could be found who, in exchange for its indorsement, would accept the commission of such a league, the league should advance its own candidate.

There should be as many such leagues as there are congressional districts in the United States; and, as fast as formed, the district leagues should become members of the National Business League, an organization having the same motto as the constituent leagues, through which the district leagues could act as a unit, to pass any congressional act favorable to any industry represented in the league

and to defeat any such act of the contrary character. "All for each and each for all," should be the rule of league action.

At presidential elections, the National Business League should indorse and work for any candidate who would accept the commission of the league to protect American wage-producers; *provided* that the platform of the party to which such candidate belonged, contained the motto of the league, "This country must do every cent's worth of its own work and pay its own people the wages therefor."

If no party would adopt the motto of the central league, it should nominate its own candidate.

The final goal of the national league should be a constitutional amendment covering the points noted in our argument before the Court of Appeals to which this is an addendum; and with this would come the final elimination of raids on the "trusts," "malefactors of great wealth," and all the other tricks by which international peddlers steal our savings.

We cannot afford to forget that, at the back of all business, stands the wage-producer, whether he pushes a quill in an office or a pick in a sewer ditch. He is 99% of us all. He is the country. He consumes nearly ten times as much as the average consumer in the outside world. There are something over 80,000,000 of him, equivalent to about 800,000,000 of the average wage-producer in the outside world. Why, gentle reader, if we corraled him here with a sky-high tariff dike and a similar tariff dam, and let goods neither out nor in, as a consumer, in a few years he would be worth as much to us business men as a thousand millions of the half-employed and half-fed denizens of the

"markets of the world." We could do this so easily; and yet, following the beck of the international peddlers and the direction their dollars take with congressional lobbies, we go on passing the hat like beggars around among the outside nations, getting a few dollars of trade here and a few dollars more there, and thinking we are doing great wonders. The patronage of this wage-producer of ours is the only hope of all domestic production and business; and on the other hand, his only hope is this domestic market consecrated to him alone. Why not put these destructive international peddlers out of their cruel business forever; make them hammer their swords into ploughshares and pruning hooks, take out citizens' papers, marry American girls, stop Mr. Roosevelt's anxiety about race-suicide, and pull with us forever and forever in keeping this domestic market exclusively for our own wage-producers. The wage-producer is our game. Let us multiply him, but never divide or subtract or distract him. Let us keep him forever busy, increase his pay at every possible jump, and make him a better and better buyer of our goods. If we do this, we business men who sell things to this crowd of wage-producers will have the softest cinch in steady business, steady finances and steady fortunes rolling our way that ever was dreamed of.

Then, again, by thus casting out foreign trade with its unmanageable balances and our eternal dependence upon "crops" for business stability, we would solve once and forever the perplexing currency problem.

Such a consummation, so devoutly to be wished, would hitch all us real domestic business men together with hooks of steel, even if we had to buy

the hooks of the United States Steel Corporation and oil the chain-joints with oil from the Standard Oil Company. Why, gentle reader, we would soon find that these monster "trusts" would not bite us. Bless your dear heart, they couldn't! They would have to work as hard for us as we did for them. Do what they might; get as big and rich as they pleased; gather all the power they could, they would still be our servants. For, after all, all their wealth would be but part of the common wealth of the country, driving our greatest industries, paying the longest pay-rolls, and sending more and more wage-producers with fat wages to our shops and stores, where it would be no trouble to show goods and where if our customers did not see what they wanted they would only have to ask for it. And all at a margin for us.

We would soon learn that all Malefactors of Great Wealth, whose total wickedness was only being wealthy, whether they liked it or not, were our greatest friends; for they could not get, keep, and add to wealth without helping us do exactly the same thing.

We American business men should all get together on the platform of "All American Business for American Business Men." We ought to let all our old party ties go. They make us no money; but the new business ties would make it for us and plenty of it.

In this matter of loyalty to American business there should be no North, no South, no East, no West; and in it there should be no Republican, no Democrat, no Prohibitionist, no Labor man, no Socialist, no Anarchist, and no stalker of Male-

factors of Great Wealth. In this combination there would be wealth enough for every one—if he earned it. In fact, this sort of a combination would make all the reasons for the old political divisions melt like mists at summer's midday. Our brain-cells would all be set to the same music by our happy environment. We would all be pulling in perfect rhyme and time in the same direction; that is, we would all be pulling away from pain and towards pleasure—and most of us would get there. We would be wealth-shy no longer. We would be getting so rich ourselves that none of us would like to hear Jeremiads against “very rich wrongdoers.” And all the time we would be getting more and more persuaded that wealth gained by hard work never could hurt anybody. We would get it out of our heads that Malefactors of Great Wealth were any different from the rest of us. We would find they were not monsters, but on the contrary were very human. We would find blood in their bodies. We would notice that, when we cut them, they bled the same as other folk. We would also find that some of them had larger and some smaller hearts than ours; and that the most of the greatest of them had hearts as large and as warm as their fortunes; for we would realize that, after all, sympathy makes for success in dealing with ones fellow men and making large masses of interests march in harmony, the harmony which makes great wealth. If we reflected a little, we would realize that the great majority of Malefactors of Very Great Wealth do lots of good with their money, and that it is they who endow colleges, build hospitals, orphan asylums, libraries, and in other ways do the very best thing with their money that possibly could be done for broad humanity, but

never would be done except for so much money coming under the control of a single owner and his having so much of it that anxiety for his own outcome is laid aside and his nobler impulses given a chance to flourish.

But it will take some cold calculation and some hard work for us to get started on this road. In the first place, we have a presidential election just ahead and we want to make sure and not commit the same blunder we did four years ago. The last man in the world to be President of these United States is a man who knows nothing about hard-headed business, the science of markets, and the necessities of domestic trade, and who thinks he can barter away the American domestic market in sections, as if it were sections of his own kitchen garden, giving to a favorite here one section and to a favorite there another section, and generally showing no more real intelligence about the country's absolute dependence upon domestic property-production than a five-months' Louisiana bear cub. What we need for a President of this country is a sound-headed, careful business man, whose heart is too large to ignore the connection between a man's employment and his stomach, and the connection also between a man's stomach and his life; and whose simple common sense is strong enough to understand that you cannot give away the country's employment to the Cubans, the Germans, the French, the Philippine Islands and other people and at the same time keep it for wage-producers in the United States. And rather than a politician for such a place, we would prefer a man who had had head enough to make a fortune of his own, head enough to keep it after it was made, and

nevertheless head enough not to lose his head because he had power, as the people's servant, even great enough to control the press and to efface Congress. In short, than such a politician, we would far rather see go to the White House some level-headed *Malefactor of Great Wealth*.*

* A practical question is what candidate business men and wage-producers should back in 1908 for President. Mr. Roosevelt, Mr. Taft, or any one chosen by Mr. Roosevelt should be out of the question. Of those who would be certain to do nothing to harm American business, we mention the following in their order of desirability:

SENATOR FORAKER: He has proven himself a statesman of singularly fine poise and breadth. His belief in the presumption of innocence until guilt proven, is finely illustrated by his inquiry into the Brownsville affair. His cool, logical, and patriotic defense of the Constitution in the matter of the Hepburn rate-law made him many admirers; and his devotion to the American wage-producer as against wage-producers abroad is a matter of common knowledge. Altogether, Mr. Foraker would make an ideal candidate for indorsement by American Business and American Wage-Production.

EX-SECRETARY SHAW: Mr. Shaw, now of New York City, while Secretary of the Treasury, proved himself in sympathy with the principle of American Business for American Business Men. He would be "safe and sane" and make a fine, steady, and reliable President.

SPEAKER CANNON: Has always stood "like a stone wall" in defense of the domestic market as the natural property of the domestic wage-producer.

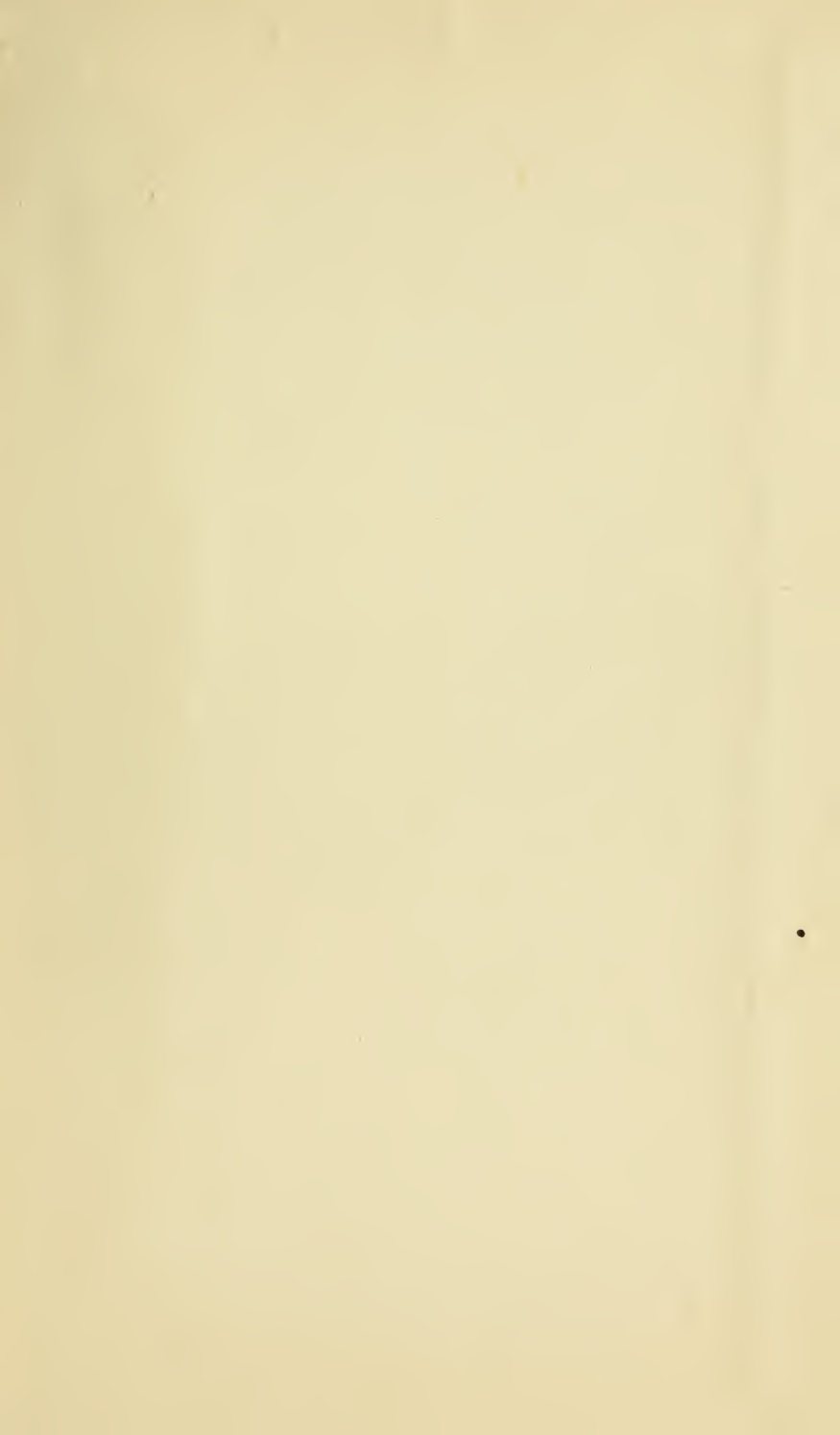
GOVERNOR HUGHES: Through the haze of an all too brief public career, there loom in Governor Hughes the outlines of a figure of colossal proportions in statecraft. He reminds one of Abraham Lincoln in his calmness and balance and his certainty of doing the wise thing at the wise time. The only point of doubt is as to his education on the matter of international trade and as to whether he is too much in sympathy with the New York Importing Ring to realize the weight of the American wage-producer's claim to the whole of his own domestic market. The fact that a man is a Republican does not chalk him sound on this point; for Mr. Roosevelt claims to be a Republican. One great thing in Mr. Hughes's favor is that he is not a politician and does not pull political wires. The Presidency will have to hunt for him; for he will never hunt the Presidency.

But sober business men could not afford to back even men as good as these, unless the Republican platform unequivocally declared against any downward revision of a single item on the tariff schedule; and as unequivocally promised, a decided increase in the tariff on the rising tide of European imports which threatens soon to extinguish our factory fires.

Therefore, with the failure of Republican platform assurances of the sort above outlined, or with the renomination of Mr. Roosevelt, the nomination of Mr. Taft, committed as he is to downward tariff revision, or of anybody at present in the Roosevelt Cabinet or in any way favored by the present Washington regime, with its open hostility to Amercian Property-Production, our business men and wage-producers should vote for upward revision Congressmen, and for the Democratic presidential candidate, whose election would then close up the Republican ranks against downward revision, since neither the House nor the Senate, if Republican, would consent to grind Democratic free-trade axes.

The End.

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